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THE RECONSTRUCTION OF THE ENGLISH CHURCH

VOLUME I

THE RECONSTRUCTION OF THE ENGLISH CHURCH

BY

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VOLUME I

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PREFACE

During the eight years occupied in the preparation of these volumes, I have been guided and assisted by the advice and help of many kind friends. First and foremost, I am deeply indebted to Professor Edward Channing of Harvard University, my preceptor and friend, for encouragement, counsel, and trenchant criticism, whose value can be appreciated only by those who have known him. It is also a great pleasure to acknowledge my indebtedness for many favours to Hubert Hall, Esq., of the Public Record Office, through whose influence many archives were opened to me; and especially to the late Professor F. York Powell, from whose deep learning and acumen I profited so often while at Oxford. I have also had valuable assistance on legal topics from President Lowell of Harvard University, whose counsel was of great influence at a very critical moment of my life. On economic matters, and particularly in connection with the preparation of the maps showing the distribution of population in England, I had the advantage of the unrivalled and detailed knowledge of England in the sixteenth century possessed by Professor E. F. Gay of Harvard University. On questions relating to the Catholics, I was very materially aided by Father J. H. Pollen, S. J., who most kindly loaned me his transcripts from the Catholic archives at Turin, Naples, and Birmingham. I also received valuable suggestions from Professor R. B. Merriman of Harvard University, and from Dr. Conyers Read of Princeton.

My acknowledgements and thanks are also due to the following lords and gentlemen, who most kindly opened their archives to me: His Grace, the Archbishop of Canterbury; His Grace, the Arch-

bishop of York; their Lordships, the Bishops of London, Norwich, Ely, Peterborough, Lincoln, Oxford, and Durham; their Lordships, the Earl of Leicester, and the Marquis of Salisbury; the Reverend the Dean of Wells, the Very Reverend the Rector of Stonyhurst College; J. H. Gurney, Esq.; the Keeper of the Privy Council Records; the Librarian of the Inner Temple; the Librarian of the Middle Temple; the Librarian of the Congregational Library; the Librarians of all the Oxford and Cambridge Colleges, in particular of All Souls and Jesus Colleges, Oxford; and of Trinity, Corpus Christi, Gonville and Caius, Pembroke, Jesus, Christs, and Emmanuel Colleges, Cambridge.

I have striven during these years to learn the truth. I have tried in these pages to tell nothing but the truth, with an impartiality which should scorn to serve the interests of a sect or pander to the maintenance of a cherished tradition. I have of course aimed at entire accuracy of reference, citation, and statement. But now as I close, for the present, my labours in this field, after weary months of verification and criticism, I can only say, after all, that I have done my best, and I must beg my readers to deal charitably with the failings of mind and hand which I cannot hope that care and diligence have entirely avoided.

R. G. U.

WASHINGTON UNIVERSITY
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BOOK FIRST

PREPARATION FOR RECONSTRUCTION

CHAPTER I

THE PROBLEM OF RECONSTRUCTION

The reconstruction of the English Church was the final step in the transformation of the pre-reformation Church into the present Establishment. Like all great institutional changes, it was a slow growth produced by those natural forces, religious, political, economic, and social, which had lain behind the Reformation itself. It was, moreover, a national movement for the reshaping of the national church into a form better suited than had been the earlier institution to the peculiar needs of the English nation. In the reconstructed church the old life of the previous centuries streamed on in slightly different forms and in new relations. Nor can this growth toward reconstruction be separated, by any hard and fast line, from those varied changes which we have been accustomed to call the Reformation. The Reconstruction of the Church was the natural result and necessary complement of the Reformation.

The study of the period is complicated for the student by the fact that the Reformation is at once political, doctrinal, institutional, and legal in its scope. The movement is made still more difficult of comprehension by the tendency to confuse the progress actually effected, with the announcement, by the constituted authorities, of the advance which they believed had been made. Henry VIII and Edward VI were chiefly interested in the political and doctrinal side of the movement, and even seem to have believed that no alterations could take place in the institutional life of the old establishment until they decided to introduce them. But, in truth, those deep, underlying forces, which had made possible the breach from Rome, were daily transforming the Church in ways which neither king nor prelate understood or suspected. The wording of proclamations and statutes is not trustworthy evidence of progress of reform or reconstruction. Where the pronunciamento of the State coincided with the truth, it was nearly always declaratory; in the innumerable cases in which it did not coincide, it has been for-

gotten. As with the Reformation, so with the Reconstruction. The movement is mainly the apprehension and understanding by statesmen and ecclesiastics of changes which natural forces were rapidly consummating, the effort to make the written laws of the institution conform as nearly as possible to the actual conditions, and, in some cases, to take advantage of the course of events to compass something not hitherto believed possible. Thus, we need constantly to realise that the progress actually made often diverges widely from the contemporary understanding of it, and that the doctrinal and political issues, however important, are *always* accompanied by institutional and legal issues, which, though at the time little regarded, are of perhaps greater significance in the history of the Church.

When the breach with the Papacy had been finally consummated, the chief concern of Henry and his advisers was the preservation of the doctrinal unity with the church of the past, and the demonstration, in public and private, that the English Church was not a new church, but the old institution strengthened through the resumption, by king and nation, of those powers in whose usurpation by the popes they had so long acquiesced. No structural changes were considered necessary. The Church was now what it had been, and if anything had been altered, it was for the better. While the king and his advisers were not blind to the existence of institutional and legal weaknesses in the ecclesiastical fabric, they believed them due to the influence of the Papacy. The papal authority had been an excrescence, a cancer slowly eating out the life of the national Church. By renouncing the Bishop of Rome they believed that this abnormal growth had been removed, and the strong, healthy life of the national Church could now flow on unhampered in its true direction. In the opinion of Henry, the movement was less a reformation than a restoration. Indeed, the King was so much concerned with the political changes involved, and the churchmen with the doctrinal changes threatened, that neither gave much thought or attention to the administration of the Church or to the working of its courts. They assumed that, until they made some change, all would go on as before.

Under Edward VI, the struggle for unity of doctrinal belief in the Church became the crucial issue. While accepting the new tenet of the priesthood of all believers and of the right of every man

to decide for himself controversial questions, the reformers added to it the essentially medieval corollary that, once set free from papal bondage, all men would not only believe, but would believe the same thing. If the disputes over doctrine could only be ended, the Edwardian prelates felt sure that the administration of the Church, which they now found so difficult, would become very easy. The existence of any structural difficulty in the Church itself was not suspected. The counsellors of Edward VI had established Protestantism, but had been unable to make strong the political, doctrinal, or institutional basis of the Church.

Like her father, but from different reasons, Elizabeth regarded the ecclesiastical settlement as a temporary expedient. Henry VIII took no more action because he believed no more to be necessary; Elizabeth, because she was convinced that no more was possible. To her, the firm establishment of political Protestantism was the paramount issue, and, until the possession of the throne by a Protestant had been acquiesced in by the Catholics in England and Europe, the doctrinal and administrative issues of the Church were of small consequence. The latter referred at most to the working of the institution with a greater or less degree of perfection; upon the former, depended its very existence. A belief in the articles of doctrinal unity, in the royal supremacy, and attendance at morning prayer and communion, became a test of political loyalty, which the State for temporal reasons exacted from clergy and laity alike. The Church, as an ecclesiastical institution, was neglected in the greater attention paid to it as a part of the State. Elizabeth used the Establishment, and its administrative officials and courts, chiefly as a body of ecclesiastical police to insure obedience to her religious test of temporal loyalty. But, to her surprise, the administration of the Church performed the work she had assigned it, either badly or not at all. At first, she believed that the bishops were Catholics; then that they were Puritans; and finally that they were lax and ignorant. To her, nothing else could explain their failure to accomplish the hoped-for results. She could not believe that fundamental faults existed in the frame of the institution which prevented the most conscientious of bishops, or most skillful administrators, from making it work well. Henry VIII had effected the breach with Rome without bloodshed; Elizabeth had peacefully established Protestantism, but had instituted a form

of doctrine and of liturgy, which legally expired at her death, and had persistently neglected to remodel the organization of the Church. Her settlement, like that of her father, was in the main negative and destructive; the truest and best constructive work, the real construction of the English Church, was left to the Jacobean leaders. The need had existed in the days of Henry VIII, but was not perceived; it was seen in the time of Elizabeth, but a remedy was not regarded as either desirable or expedient; under James reconstruction was finally consummated as an absolute necessity whose further postponement would entail serious consequences for the Church as an institution.

The great problem which faced the Church in the year 1603 was not so much the diversity of doctrinal opinion as the poverty, ignorance, and disobedience of its clergy, and the lack of any efficient administration capable of coercing them into obedience. Unity of doctrine did not seem less desirable than in 1535, but less possible; its attainment by conference and argument did not seem less admirable, but less feasible. A few decades earlier, the reformers had thought that the settlement of the doctrinal disputes would naturally remedy the faults of administration. Now they had come to believe that, if the Church were only strong enough as an institution, the dissenters in doctrine might be coerced into uniformity. The ultimate object in 1603 was, as before, unity of belief and observance, but it was now to be attained by making the Church strong as an institution, by awakening that institutional life which had been so numbed by the violent quarrels and persecutions of the last half century.

The issues in the history of reconstruction were, therefore, not theological and doctrinal, but legal and administrative; not theoretical, but practical. Reconstruction was not an attempt to elucidate the problem of the spiritual relation of the individual to the Deity but an effort to solve the difficulties of ordinary ecclesiastical life. The Reformation was essentially an appeal to the past, seeking justification in the history of the early Christian centuries. The movement for reconstruction was, in part, an appeal to law and precedent, but in a greater degree, it was an appeal to expediency. Little was said about doctrine, but the historical statements of Eusebius in regard to the antiquity of bishops, and the exact status of English legal precedents upon the subject of tithes, became the

crucial problems of contemporary thought. Seemingly trivial matters of administrative detail, or of legal procedure, became freighted with issues of transcendent importance in the growth of the Church. The actual state of the Church at the moment became the real issue, and the opponents of the Establishment were less concerned with impeaching its doctrinal soundness than with collecting statistics of pluralists, of exorbitant fees in the ecclesiastical courts, and of the illegal action of the High Commissioners who insisted that the culprit must take the oath *ex officio*.

The problems whose solution seemed, in 1603, imperative, were wholly the result of far-reaching causes, partly political, partly economic, partly due to the mental and social development which we call the Renaissance, but one and all aggravated and intensified by the long postponement of a remedy. Their solution had been also evolved through long years as the result of the labours of many men. We are, therefore, dealing with a movement whose beginning and ending is indefinite, whose threads are tangled and at times knotted with many another skein of history, whose causes, course, and results are alike illusory and indecisive. We must, therefore, take care not to treat as definite what was really far from precise, and we must not assign too specific dates to a movement which is really part of a continuous stream of endeavour.

Nevertheless, the history of reconstruction may not unfairly be divided into three parts. First comes the period of preparation, 1583-1603, when the parties draw together, develop their ideals, and by preliminary sparring clarify somewhat the real issues. Then follows the period of active reconstruction, from 1603 to 1605, when was enacted, after much discussion, the legal and constitutional settlement of the Church, which still remains practically intact. Last stands the defence of the settlement, 1605-1610. The changes made in the legal fabric of the Church had, of course, raised legal and constitutional questions concerning the relations of the Church to the Catholics, to the Puritans, to the common law courts and to Parliament. The discussion and elucidation of these issues, the authoritative interpretation of the new settlement then delivered, constitute what we may call the defense and justification of reconstruction.

In order to comprehend these great problems, we must grasp those basic ideas and intellectual premises of thought which the

past had handed on as its heritage to the men of the sixteenth century. We must understand, not only conscious motives and prejudices, but those instinctive preferences and beliefs which the men of the time absorbed unconsciously from their environment. We must attempt to explain less those fugitive suggestions than those dominant ideas which, like some mighty hand, gripped men fast with a clutch made strong by centuries of acquiescence, and compelled them to do its bidding.

In studying the relations of three distinct parties to one another and to the State—the Churchmen, the Catholics, and the Puritans—we shall find each led by earnest, patriotic, learned men, careful to obey the dictates of their consciences, and convinced, after long and painful spiritual experience, of the necessity of their own course. Each burned with zeal to establish in England that true Christian faith which he believed essential for salvation. In the mind of each was a sincere conviction that the unity of the Church was absolutely necessary;[1] that perfect uniformity of creed, ritual, and ceremony was only second to it in importance;[2] and finally that salvation itself was impossible, except through the acceptance of the exact shade of belief which he himself professed. These ideas naturally gave rise to a profound conviction, which appeared in men of all shades of opinion, in all ranks of life, that inasmuch as those who disagreed with them were plainly wrong, and inasmuch as the welfare of those misguided men depended upon their being led back into the right path, it was the duty of those, who knew what the truth was, to compel its acceptance.

To all parties the evidence in their own favour seemed so clear, that each felt that no sane man could fail to see it unless he wilfully

[1] "I will haue one Doctrine and one Discipline, one Religion in substance and in ceremonies," declared James I at Hampton Court in 1604. Barlow, *Summe and Substance of the Conference*, 71. "As there is no division more dangerous than that which groweth of mattiers of Religion, so it weare most expedient and necessarie to be quickly remedied." A Puritan speaking in the dialogue, *The Commonweal of this Realm of England*, Miss Lamond's edition, 141. See also Cardwell's *Annals*, I, 321, 383, 387; and Strype, *Life of Whitgift*, III, 71.

[2] "Ceremonies are nothing; but, where there are no ceremonies, order and uniformity and obedience and at last quickly religion will vanish." Donne, *Sermons*, V, 134. Sermon, 120. Cartwright, the great Puritan, wrote "that the want of Eldership is the cause of all evil and that it is not to be hoped that any Commonwealth can flourish without it . . . and that it is no small part of the Gospel, yea the Substance of it." Heylin, *Aerius Redivivus*, Bk. 7, sect. 8, 241.

closed his eyes to the truth. "God in these days," wrote Bishop Jewel, "hath so amazed the adversaries of his gospel, and hath caused them so openly and grossly to lay abroad their follies to the sight and face of all the world, that no man now, be he never so ignorant, can think he may justly be excused," from seeing the truth. "And if there be any that . . . cannot endure Christ's doctrine, such, say we, be blind and leaders of the blind: the truth, nevertheless, must be preached and preferred above all."[1] While few of the leaders consented actually to force men's convictions, none of them could see how any one could refuse credence to so plain a statement as had been made to him, and for this wilful blindness, he deserved to be "shrewdly handled." Such was the attitude of the learned, as well as of the ecclesiastical world, toward all who ventured to dissent, and such was the logical basis of the persecution which ensued.

Yet, in treating this attitude of men towards each other as the result of a distinct volition, or a separate mental process in each individual, we fail to see that in reality we are dealing with one of those elemental forces which has made progress in civilization possible. The thousands of years, during which our ancestors acted upon the belief, so bred it into the mental structure that men of the sixteenth century unconsciously based their thinking upon it. In them was at work the impulse which had first led men to form governments, the incentive which built up the earliest empires, the motive which made Rome a world power, and which lay behind the far-reaching claims of the medieval Papacy and Empire—conformity. Scanty as are the records of the early historic ages, cautious as must be our deductions from them, vague as the results remain, we find no time when there does not stand forth this idea of the conformity of the individual man to a system, to an idea, to a government, which is imposed upon him from above, which he is not expected to understand, and where his whole duty is comprised in the word—obedience. He must yield his personal preferences to the general opinion, because he could not survive as an individual unless he were protected by some group, and the welfare of the group demanded the repression of his individuality and his submission to the guidance imposed on him by

[1] Jewell, Preface to the Reader in the *Defense of the Apologie*, *Works*, Parker Society, III, 119, and 107, respectively.

authority for the upbuilding of the common weal. From the very dawn of history, from the days of the clan, phratry, and tribe, the idea had thriven, had gained universality under the dominion of imperial Rome, and had found, in the medieval church, a great institution, linked to tradition, claiming divine sanction and authority, with a host of saints and martyrs inscribed on its rolls, ready to assume the task of securing individual obedience. As the clan and tribe had been responsible for the legal and religious conduct of their members, so the Church became corporately responsible for the souls of the world, and the Bishop of Rome emerged from the bloodshed which had accompanied the disintegration of the old Roman Empire, seated in the chair of traditional authority, and invested, little by little, with the prestige of the great past. Soon the Papacy was regarded as the sole legitimate possessor of a religious power consecrated by the consent of former generations, the one force in the world which stood for permanency and a power other than the might of armies.

To the medieval man, utterly lacking in critical feeling or historical perception, its theories and its claims came with compelling force. If the Pope had been appointed head of the Church by Christ himself, if he were His divinely inspired Vicar on earth, he must be not only personally superior to all other authority, but, in addition, his decision must be infallible as compared with the dicta of mere earthly wisdom. As the divinely ordained and infallible Vicar, he had, moreover, the care of the souls of the world: for the Church, of which he was the head, possessed corporately the responsibility for the spiritual welfare not only of each individual man, but of the whole world. The individual must not be allowed to do anything which might jeopardise the salvation of others: he must conform to the ceremonies and creeds provided by the wisdom of the Church for the edification of all. The passion of the medieval mind for concreteness, "the powerlessness of the untrained mind to realise the idea and live in it," "the turning of the doctrine into its most literal application, the symbol into the essential ceremony," these built up, in the medieval consciousness, the Visible Church. And the Church "allowed the soul to approach God only by the universal consciousness as represented by the sacerdotal order." In short, conformity was personified in the Visible Church.

Indirectly, the trend of medieval thought supported conformity. The medieval man held before himself, as an ideal, the unquestioning belief which welled forth as an act of faith from a devout ascetic life. Faith became to him the basis of all true knowledge and any learning that did not have faith as its chief postulate was perverse and perhaps wicked. Thus, instead of reaching forth after the unknowable, he started with a preconceived theory, strove to show it consonant with experience and sought indeed merely to confirm what man already knew. No medieval man thought of questioning beyond a certain point, for, convinced beyond a shadow of doubt that he already possessed all the truth there was, he entertained no expectation of increasing it by thought and observation. His was the duty of arranging, explaining and expounding: for there was nothing left to discover. From this point of view, conformity to the system of thought and belief in vogue at the time was not only the logical course, but the inevitable position for every sane man to assume. Those who obstinately refused to conform or who persistently declared opinions contrary to the ideas generally received, were considered factious and unreasonable. That they might have the truth on their side, no medieval man and, indeed, no sixteenth century thinker, could for an instant conceive.

Far more subtly the basic beliefs of dogmatic Catholicism operated in favor of the overwhelming logical defence of this conception. Catholic theology was essentially based upon the vital unity between the Visible and the Invisible. The dominant school of Realist philosophers declared that the present reality was only the image of that universal type which existed in the mind of God. Before the visible, the tangible, the human, could commune with the mystic, the impalpable, the divine, a link must be forged by the mystic chain of ceremony, through which external bond, uniting every man to the rest of all believers, society communed with God. Ceremony, then, must be uniform, and no man could be allowed, by his dissent or refusal of observance, to threaten the harmony of this mystic union. Moreover, as man existed only as a reflection of the One universal and perfect image in the mind of God, as he was good or perfect only as he approached the divine pattern, so all men ought to be alike, and those, who refused to model themselves on the generally received ideas, were considered to be clearly at variance with the divine law. At any cost, they must be in-

formed, convinced, and brought back to conformity, not alone for their own sakes, but for the sake of others whom their example might lead astray. The Visible Church was only a reflection of the Universal Church of Believers in the mind of God, and therefore no one who did not conform could be a member here or hereafter.

Yet, the theological and scholastic theories were far from being the only incentives to conformity. The earliest traces of the idea show it to have been civil, rather than ecclesiastical, and during the Middle Ages, the forces of feudalism and industrial life made the bond of the vassal, of the gild, of the manor, and of the city and town far closer in practical life than was the religious tie. Even the man of social standing was lost in the ranks of his family: the apprentice was bound to his loom by regulations which designated the number of threads he would weave in a square inch of cloth as rigidly as they did the hours of daily toil. The master workman sank his individuality in the attempt to promote the welfare of his gild; the peasant found himself held fast by custom and circumstances to the plot of land his father had tilled, and to the laborious routine his father had observed. Society was not yet firmly enough established, the peace of God and of the Church was too often infringed, for an individual to stand alone. If a man would survive, he must join some group, and even the hermits banded together for protection. A man whom the traditions of his race, the habits of civil life, the deepest thought of the erudite, the dogmas of the Church, and the lives of the saints, could not convince of the expediency and necessity of conformity, was considered either foolish to the verge of insanity, or too perverse and wilful to be longer endured. He was put to death by order of the community as a menace to the public welfare: Church and State executed a sentence universally approved.

The medieval system would have crushed into oblivion all originality, all genius, all the spirit of progress which is so greatly stimulated by dissimilarity, had not the select few who ruled affairs ecclesiastical and temporal, agreed that the individual who conformed to the laws of the State or to the dictates of the Church for the good of the community, did not in the least pledge his individual belief in the truth of the theories or dogmas to which he nominally assented. He did confess and declare them necessary

for the public weal, and as such he subscribed to them, rather as an example to others than for his own sake. Such a position was made safe by the fact that there lingered in the minds of even the most advanced thinkers a fear that, perhaps after all, the Church was right. Notwithstanding its dangers, the necessity of some latitude of thinking was apparent even to the scholastics: it was restricted, however, to the learned, and the learned were not to proclaim to the multitude their speculative dissent from the teachings of the institution. A man might *think* all he pleased but let him not *talk* about his thinking. What shocked the conservatives in Luther's action was not the fact that he prepared ninety-five heretical theses, but that he nailed them to the church door in plain sight of every one. His refusal to conform at Worms signified to them far more than mere doctrinal dissent: he refused to conform to the common standard to which his assent was required for the safety of the rest of the community—he had denied that conformity was necessary. So Huss was told by his friends that if the Council pronounced so apparent an absurdity as to state that he had only one eye when all might see he had two, it would nevertheless be his duty to subscribe to their opinion, and so long as he assented publicly he might privately believe what he pleased. Nor could his friends in the least appreciate the force of his oft repeated ejaculation: "I could not agree without doing violence to my conscience."

In the fifteenth century, the great results of the hidden working of the decentralising forces began to be apparent. The Empire had long been weak, but it was not until the reign of Frederic III that the fact was driven into men's minds that the universal Empire was a sham. Other causes contributed to sap the strength of the economic sanctions of conformity in restraint of trade and commerce. Successive voyages extended the horizon line of the world; new theories in astronomy, showed the medieval man that his assumption that he possessed all the truth was unfounded. His belief that the highest ideal of man was to be found in asceticism gradually began to be overthrown by the new influences resulting from the revival of the study of classical antiquity. In the face of the joy of existence expressed by Petrarch, of the novel pleasure taken in nature and in man, the old ideals yielded their supremacy.

Men had long seen that the Papacy was not superior to other institutions as regards the holiness, sanctity, and probity of the Curia, and it certainly could not be considered infallible in view of the mistakes in judgment made by the popes and in view of the political and temporal aspirations which, it began clearly to be seen, had influenced them. The Renaissance brought with it an increased ability to read Greek which opened to scholars many old manuscripts and led to an eager search which was constantly revealing new parchments. At the end of the fifteenth century, men were being educated not in dogma, but in history.

Men began to consider not only what they themselves were, but what their ancestors had been. Before the test of historical investigation, not before any turn of popular sentiment, fell the claims of the Papacy. The earlier treatises of the reformers, like Luther's *Letter to the Christian Nobility of Germany,* are historical investigations of the past far oftener than dogmatic tractates. The demonstration that the early Christian Church had not been at all what had been supposed was the fatal blow to papal pretensions: the denial of papal superiority and infallibility were the result of evidence, not of assumption.

The greatest idea which the Renaissance and Reformation introduced was the declaration that the individual man was capable of assuming the burden of his own salvation. In place of the old belief that most men were too ignorant to be able to form any judgment in regard to their theological beliefs, came Luther's affirmation of the universal priesthood of all believers and Calvin's assertion of the direct communion of the individual soul with God. The corporate responsibility of the church was denied: every man was responsible for his own salvation and for his own conduct; let him read the Bible and learn for himself the way to everlasting life. The reformers believed, in fact, that men needed only to be told that their shackles had fallen from them to stand forth free and unfettered by Church or State. The individual came to regard himself as superior to all the learned men in Europe and developed his own trust in himself into a belief that was nearly akin to his infallibility. If he thought one way and the world thought otherwise, he stoutly declared that the world was in error, that in reality he could not understand how it was that the world had so long braved the wrath of God by persisting in an opinion so unjustifiable. The

Catholics gleefully pointed their fingers in scorn and said that the Protestants had deposed one pope and in his place had made themselves all popes, so that instead of one they had thousands.

Yet, in view of this individual responsibility, a man might no longer be able to affirm with a clear conscience whatever dogma the State presented to him. If his salvation was in his own hands, he could not allow any authority to decide for him what doctrine was right: the immediate welfare of society might be advanced if he believed, but should he gain the whole world and lose his own soul? So long as society had been corporately responsible for the souls of all, so long as men had believed that only by the ministrations of the Church could they be saved, it had been not only wise but logical to insist that each man should do what he could to aid the Church in its great task. But, all of a sudden, the burden of individual salvation which had for so many centuries been carried by corporate humanity as represented by the Church, was transferred to the shoulders of each individual man and woman, who were told, that, face to face with Almighty God, before whose countenance the very angels veiled their faces, without the possibility of human mediation, they must settle the awful problem of their future existence.

It is this overwhelming and crushing sense of the responsibility for his own soul which explains the fierce ardour of the sixteenth century man for his own belief, and this it was which created the gloom in which so many men walked daily, the atmosphere of the Valley of the Shadow of Death through which Christian, bearing the load of his sins upon his own shoulders, must struggle along the rough way, with no hand to guide his staggering steps, and with no eyes but his own to discern the deep pits and quagmires into which he might fall. Along the steep and narrow path of life, man must journey alone, feeling always upon him the watchful, all-seeing eyes of the Omnipotent who could only be appeased by the most abject repentance. How could a man possessed with such a belief allow the corporate conscience of the Church or the commands of the State to control his decisions? He might himself err, but he alone was responsible, he alone must expiate his fault, and he alone must judge at his peril. With such a creed, the smallest matters assumed portentous dimensions and the conscience had to be consulted every hour of the day and upon every common-

place act of life. Men ransacked the Scriptures, hung with alternate fear and joy upon the words of the minister, and spent long hours in agonized self-examination and fervid prayer. Religion became the most important topic of a man's life: he went to church, he read the Bible, to get aid and inspiration for his lonely vigils and for his long dangerous journeys through the Slough of Despond. If he did not go to church, if he did not pray, if he did not believe in some doctrine which gave comfort to others, it was, declared the early reformers, of no consequence to anyone but himself. It made no difference to the State and none to the Church, whose main reason for existence had disappeared in the eyes of those who believed no longer in its corporate responsibility for the salvation of the world.

Nothing could have well been further than this from the medieval conception. And to a man who believed the new tenets came a demand to subscribe, for the general welfare, a statement he did not believe. When he refused on the score of conscience, he met the old reply given to Huss a century before, that his real opinion was immaterial, but his duty was clear. Yet to him the very existence of his opinion determined beyond question his duty. The clash was irreconcilable. Unless we bear constantly in mind this overwhelming sense of individual responsibility, this incredible sensitivity, we shall never understand the men of the sixteenth century. Between two men each inspired with such an ideal, compromise was impossible, and from the sanctions of conformity each drew support for this new attitude introduced by the Reformation. While all parties were strongly influenced by this idea and this spirit, it was most completely exemplified in the Puritans.

It soon became obvious to the leaders, however, that in their denial of corporate responsibility and of the necessity for a general ecclesiastical organisation, they had gone too far. The people as a whole were not yet capable of forming individual judgments and of assuming charge of their religious conduct. The complete submission under which the individual had for centuries been held to Church and State and tradition, had not developed in his mind that knowledge which would flash up as the spark touched it. The tinder was there but so damp that the spark expired without igniting it. In truth, for the majority of men the fetters of Church and State were not loosened by the proclamation that they were

free, because they were in reality bound hand and foot to their local lord and to their parish church by their own actual ignorance and helplessness. In the medieval theory had lain a certain beauty and nobility as well as more than a grain of truth. The individual, unable to cope himself with the great problems facing him, with the difficulties besetting his untrained judgment and vacillating will, called to his assistance the wisdom of the ages which the greatest and noblest men of the past had produced in their attempts during the long centuries to solve these very problems he now addressed with so much diffidence. As mirrored in the formularies, creeds, and dogmas of the Church, and as enshrined in its polity and organisation, he found their thoughts truer and loftier than his thoughts and their ways safer and better than his own. He accepted the judgment of the Church, bad as it appeared to be to the Protestant leaders, because he had none to substitute for it. Evil as had been the lives of some churchmen, the clergy, as a whole, seemed pure to the common artisan or peasant: ignorant as were the monks of the truth about early Christian antiquity and the philosophy of the Greek Fathers, they knew far more than the people to whom they ministered. Ignorance, slothfulness, indifference, were not to be overcome by placing the Bible in the churches and by declaring all men able to read it and to perceive the truth. Men, everywhere free, were everywhere bound fast by the chains of their own incapacity. The individual might be capable of solving the problem of his own salvation, but, unaided, he could not solve the more immediate issue of providing for his continued existence in this world. The presence of the great organisation from which they had seceded, compelled the reformers to organise for their own protection upon a basis which was, in fact, the negation of the very principle on which they stood in their revolt from Rome. Where could be drawn the line between freedom and that minimum of conformity to some standard which the leaders speedily saw they must have, if their sect were to exist at all? The desire to appeal to the masses, to save the ignorant and the indifferent, soon forced them to prepare to give very much the same sort of general guidance which the medieval Church had always furnished. In the face of the difficulty of holding their flock together, they began to insist upon conformity to a certain minimum of doctrine and of observance.

Hence came into being the reformed churches at Geneva, at Frankfort, and Zurich, in Saxony, in France, and in England, each of them maintaining superiority and infallibility over all other creeds and churches, each claiming (as had the Papacy) the possession of that pure and holy form of procedure which Christ Himself had instituted. The reformers were forced temporarily to abandon their ideals and to maintain a corporate conscience, a corporate ideal, with dogmas, creeds, and tests of loyalty and membership, because, without them, their organisation would have ceased to exist at all. The people themselves were still in the Middle Ages, and demanded a Visible Church with all the passion for concreteness of which the medieval mind was capable. With the connection of Church and State, which, in Saxony, in England, and at Geneva, soon became intimate, came the closer welding of the bond of conformity. Not only the corporate welfare and existence of the sect was at stake: the civil government which had taken the new sect under its protecting wing was itself in danger. As the Empire and the Papacy had headed the medieval world by the conjunction of the two swords, so the new national states began to claim the same relation to the Church which the emperors had enunciated but had never been able to obtain. The imperial theory became the practice of the sixteenth century.

Each sect however declared in loud tones that only within its fold was salvation possible and in truth arrogated a corporate responsibility for the souls of the rest of the world, and put its beliefs into evidence at once by eager attempts to convert its neighbours. Whether the other Protestant churches were true churches or not, was a much mooted and difficult issue on which a good deal of disagreement speedily made itself manifest. No one dreamt of toleration. "Whoever shall now contend," wrote Calvin, "that it is unjust to put heretics and blasphemers to death will knowingly and willingly incur their very guilt. This is not laid down in human authority: it is God who speaks and prescribes a perpetual rule of his Church. . . . He almost deprives men of their nature in order that nothing may hinder their holy zeal. Why is so implacable a severity exacted but that we may know that God is defrauded of his honour unless the piety that is due to him be preferred to all human duties, and that, when his glory is to be

asserted, humanity must be almost obliterated from our memories."[1] Beza, Calvin's great successor, and a man revered throughout Western Europe for his piety and learning, declared that "toleration was devilish."[2] The strength of the old idea in contrast with the milder ideas which a few of the great men held, appears in a conversation between Cranmer and Underhill, a zealous Protestant of some ability in the reign of Edward VI. The latter had brought to the Archbishop a vicar whom he accused of Catholic practices as well as of an attempt to disturb the reading of the Book of Common Prayer by the ringing of bells during service time. Cranmer rebuked him, bade him do so no more, and dismissed him. "My lord, said I," (so Underhill described the conversation) "me thinks you are too gentle unto so stout a papist." "Well," said he, "we have no law to punish them by." "We have, my lord," said I, "if I had your authority I would be bold to unvicar him or minister some sharp punishment unto him and such others. If ever come to their turn, they will show you no such favour." "Well," said he, "if God so provide, we must abide by it." "Surely," said I, "God will never con you thanks for this, but rather take the sword from such as will not use it upon His enemies."[3]

In reality, toleration can only logically rest upon a belief in the relative truth of men's opinions, and Lessing's birth was still a century and more distant. To the men of the sixteenth century, toleration was an idea negatived by every tradition of life, by every voice of Church and State from the earliest times. It was not to be expected that such shackles could be broken in a single generation. Moreover, conformity was in the view of the

[1] This English translation is quoted from P. Schaff, *History of the Reformation*, II, p. 791. (N. Y. 1892.) He gives other statements against toleration from most of the other Reformers.

[2] This same idea is exemplified in the proclamation of Nov. 5, 1602, issued by Queen Elizabeth. "They, (the secular priests) do almost insinuate thereby into the minds of all sorts of people (as well the good that grieve at it, as the bad that thirst after it,) that we have some purpose to grant a toleration of two religions within our realm, where God, (we thank Him for it who seeth into the secret corners of all hearts) doth not only know our innocency from such imagination, but how far it hath been from any about us to offer to our ears the persuasion of such a course, as would not only disturb the peace of the Church, but bring this our State into confusion." Original broadsheet, S. P. Dom. Eliz. 285, no. 55.

[3] *Narratives of the Reformation*, 157. (Camden Society.)

leaders necessary for the preservation of order and decency,[1] and the Anabaptists at Münster set an example which Europe never forgot and which sufficed to stifle any intention of leniency that might otherwise have obtained. In the plaints of the "persecuted" rang not a demand for the toleration of all sects but the declaration that they were the "godly" who should have been promoted to the seats of honour, if the true safety of the world were considered, instead of being ignominiously expelled by "hirelings" and "Baal's minions" from the precincts of the sanctuary. While they struggled for the recognition of this idea as the true Christianity, those, who put them down with a strong hand, believed, with equal sincerity, that they were acting as the preservation of society demanded. Of course, as is inevitable in any period of transition, many innocent and good men suffered from the indiscretion of the subordinate officers of both Church and State.

Yet, the conflict was not between godliness and piety on the one side and cruelty and oppression on the other. It was the clash of two irreconcilable ideas, both urged on by the sanctions of conformity. The new reformed churches had to struggle with great difficulties which were moreover so untried that much experimentation was necessary before even a reasonably practical solution could be approximated. It was easy to adopt in all its amplitude the papal repressive organisation for the maintenance of perfect outward conformity: it was equally easy to attempt no organisation at all: but where was the line to be drawn between them? How could an organisation be instituted compact enough to protect the sect and its members from outside pressure, and yet elastic enough to permit that free growth of individual opinion which the leaders had so much at heart? Exactly what degree of forbearance could be exercised with those who differed in opinion from the majority without making the tie of membership too loose? What should be considered a difference of opinion? Who was to judge when the danger point had been passed? How were they to know? Then the connection of Church and State enormously complicated every possible issue: to the difficult problem, which was to predominate, individual development or corporate welfare, was coupled the

[1] "Schisms and disturbances will arise in the Church, if all men may be tolerated to think as they please, and publicly speak what they think." Richard Hooker, *Answer to Travers' Supplication.*

even more critical question, whose safety was more important, that of the State or of the Church.

These were the real problems which all Protestants were compelled to face. The Reformation was not only doctrinal, but administrative; it had its practical as well as its theoretical side. For the first few years all the leaders were chiefly interested in dogma. Cranmer and Parker were more vitally attracted by the question of the eucharist, upon which the European Protestants had already permanently disagreed, than by any issues of organisation, or by the solution of that exceedingly practical difficulty, exactly how much organisation would be necessary. After much trouble, Elizabeth was persuaded to ratify the Thirty-Nine Articles and some few Canons, but she obstinately declined to take any definite step in settling administrative problems on a firm basis. The case of this or that non-conformist she decided quietly and firmly but without making a precedent for the future. Two parties had gradually evolved in her ecclesiastical state. One was in favour of loose ecclesiastical organisation, of freedom of expression, and of the inclusion within the new Church of every one not a Catholic. The other believed that more administration was necessary, that some definite standard of conformity should be established which should be not only political like the Oath of Supremacy, but ecclesiastical, like Whitgift's Three Articles of 1583. Those were theorists and theologians, these were administrators: those were visionary, these were practical: the one felt it was above all important to decide what was the best thing to do regardless of circumstances, to find out what Christ had directed: the other believed that the Church should aim at the broadest policy practicable under the circumstances. The problem of the breach with Rome was not more difficult than the question whether the position assumed by the English Church could be maintained in practice, whether there could be created out of the fragments of the old pre-reformation establishment a new administrative fabric for a national English Church. Such was the problem of reconstruction.

CHAPTER II

THE LEADER OF RECONSTRUCTION

Imagine a strong, virile face with the stamp of intellect set deep upon its regular features: a lofty forehead crowned with a great mass of dark hair: keen eyes flashing beneath shaggy eyebrows: a firm mouth displaying rare will power and the habit of prompt decision. Imagine the indomitable spirit, the zeal and enthusiasm that lifts a man out of the paltriness which surrounds him and marks him and his deeds with the seal of greatness, and we have before our minds the man, Richard Bancroft, leader in the reconstruction of the English Church, ablest and most influential Churchman of his generation and one of the most capable administrators the Church of England has ever known.

The future Archbishop was born on September 11 or 12, 1544, at Farnworth, in the parish of Prescot in Lancashire.[1] He was the second son of John Bancroft, and Mary, daughter of James Curwyn. She was niece of Hugh Curwyn, who was, at the time of the boy's birth, Dean of Hereford and who later became Bishop of Oxford and Archbishop of Dublin.[2] In him, the Protestant cause found a strong adherent and the Bancrofts were no doubt influenced by their kinsman's support of the new settlement. There seems to be no evidence to show with certainty who John Bancroft's father was. Possibly he was connected in some way with the great Bancroft families of Shropshire and of Derby,[3] but had his family been of any

[1] The usual statement that Bancroft was born at Farnworth in the parish of Dean is an error. The parish register at Prescot contains this entry: "1544, September, Ric: Bancroft, sone unto John Bancroft, bapt. the xij daiy." His mother seems also to be wrongly spoken of as the daughter of John Curwyn.

[2] On the Curwyn family, see Hook's *Lives of the Archbishops*, New Series, V. 191, note. While it could not boast of social distinction, it seems to have been somewhat above that of the Bancrofts.

[3] See the Calendar of Wills, etc., in the diocese of Lichfield, in the *Transactions of the Shropshire Archaeological and Natural History Society*, 2nd. Series, 1888-9. The list is for 1510-1652. Any one of the John and Richard Bancrofts here mentioned seems as unlikely a progenitor as any other. John Bancroft, Esq., of Wilmington, Delaware, has kindly furnished me a copy of the entry re-

standing or property, his genealogy would be more readily traced, so that we may safely assume, from the absence of evidence, that its rank was low and its means inconsiderable. In any case, as second son, Richard would not have inherited whatever property there might have been. From the first, the boy's environment seems to have deeply influenced him. Lancashire was divided sharply between the Catholics in the North and West and the Protestants in the Southeast. In the very heart of this latter district, midway between the centers of Protestant influence, Manchester, Bolton and Bury, lay the village of Farnworth. Around Bolton and Farnworth stretched the acres of the Lever and Pilkington families which furnished two radical Protestant reformers in the days of Edward VI. John Bradford, the well-known preacher, harangued the crowds at Manchester on one side of Farnworth, while on the other side at Bolton, George Marsh thundered against papal corruption.[1] Sectarian feeling ran high: every man in the county seemed to be an extremist on one side or the other: the images of the churches and shrines were smashed: and the Catholics were persecuted wherever the Protestants were strong enough. Thus, at the plastic period of the lad's life, the influences about him were Protestant, and the men admired were radical reformers.

Perhaps the first events to leave a connected and vivid impression upon the boy's mind were the Marian persecutions, particularly dreadful in Lancashire where the Catholics were not only ardent and strong but exasperated by their prior treatment at the hands of the Edwardian reformers. While the religious significance of these troubles can hardly have been comprehensible to a child of his years, the secret meetings and discussions, the terror of his parents and their friends, cannot have escaped his notice. He must have realized the great anxiety for the safety of Lever, Pilkington, Sandys, and Nowell, Lancashire men from that very district. Perhaps he had heard one of Bradford's impassioned sermons and remembered enough to connect him with the tales of his martyrdom

garding the Archbishop in the Herald's College—even this does not give the grandfather's name. See also Lansdowne MSS. 983, f. 94. Whenever the Archbishop used his full name, he always wrote "Bancrofte", but it has been felt that to use that spelling throughout this volume would be unnecessarily pedantic.

[1] Upon Puritan Lancashire at this time and its men, see that excellent local history, Robert Halley's *Lancashire, its Puritanism and Nonconformity*, 2 vols., London, 1869, and a 2nd. edition, 1872; especially pp. 75-89.

at Smithfield. He may have been present at one of those secret assemblies in the open air on some barren hillside, where the letters from George Marsh, then a prisoner, were read to the people,—letters full of faith, bidding them to pray for him and his fellows who stood "in perilous places." Most probably, too, as is the habit of small boys, he hung wonderingly on the outskirts of one of those gatherings of Protestants, outside some church, to blow horns, ring bells and beat drums so as to make the singing of Catholic mass within impossible. Very likely he witnessed the uproarious sport of the old Morris dancers which was resumed during Mary's reign, and watched Robin Hood and his motley procession passing through the aisles of the churches on May Sunday, with piping and dancing and Maid Marian coming "to move laughter with kissing in the church," as the older Protestants sourly remarked.

Certainly, the lad saw that religious fervor often served as a pretext to cloak civil disorder, involving the pillaging of churches and the murder of good men. He saw that an orderly and decent conduct of religious observances was assured only by the continual presence of civil authority, which he naturally came to consider an indispensable adjunct for the existence of Protestantism. To the day of his death, an established church seemed to him rather an administrative than a doctrinal necessity, and he ever considered that religious reform would entail civil unrest and sedition unless controlled by the State. No doubt his later life at Cambridge and London and his deductions from the history which he so eagerly studied, dispelled many of the prepossessions which these early years had developed in him, but it does not seem fanciful to attribute to them much of his later opinion in favour of a strong church organisation. and his constant insistence that the Puritan and Catholic cry for reform contained somewhere the note of civil disorder and sedition. Those fundamental impressions of his boyhood were too deep to be easily removed.

His education had meanwhile been pursued at a rather halting pace because of the perilous times and the lack of family means. Like his great contemporaries, Shakespeare and Hooker, and also like his two great antagonists, Sir Edward Coke, the Chief Justice, and Robert Parsons, the Jesuit, he received his early training at the local grammar school, which, however poor, was not unknown, for it had already sent Pilkington to Cambridge, and somewhat later

trained several Lancashire ministers of prominence.[1] Then, when nearly twenty years old, we find Bancroft in August, 1564, enrolled at Christ's College, Cambridge,[2] one of the newest of the collegiate group, where his expenses, for a time at least, seem to have been defrayed by his maternal uncle, then Archbishop of Dublin. Cambridge at that time was the college of the Reformation, as Oxford was the champion of the New Learning. While the latter had been the first to welcome Erasmus and the teaching of Greek, it was in a meeting of Cambridge men at the White Horse Tavern in 1521 that the theological unrest first assumed importance, and the University long remained true to these radical tenets. The first two archbishops of the reformed church, Cranmer and Parker, were Cambridge men, and it was Cambridge, rather than Oxford, which Elizabeth chose as a school of divinity for the clergy of her own settlement. For nearly three quarters of a century, from the death of Warham to the accession of George Abbot on Bancroft's death, no Oxford man held sway at Canterbury or, during Elizabeth's lifetime, became Bishop of London.

The contrast between the Cambridge of 1549 and that of 1564 was striking. "There be now," complained Latimer, in 1549, "but great men's sons in colleges, and their fathers look not to have them preachers."[3] In 1564, however, the youthful Bancroft came to a professed seminary of theological learning, where the majority of the men were studying for the ministry. He was also to see the remarkable growth which repaid the first twenty-five years of Elizabeth's patronage and Parker's careful nursing: in 1558, 28 men proceeded B. A.; in 1570, 114; and in 1583, 277.[4] It was an inspiring time to live in Cambridge, this period of expansion, of numerical growth, and of royal favour. Bancroft could scarcely have kept more than one term before his eyes were treated to the sight of a royal visit. There he had his first glimpse of the young Queen as she walked with the ladies in waiting and her long train of gallants from

[1] Mr. Croston, following local antiquaries, believes the school to have been rather poor. See Croston's *Baine's Lancashire*, V, 30. (London 1888-1893.) He quotes a seventeenth century description of Farnworth and its church. The village seems to have been of fair size.

[2] There is no entry of his matriculation: the record merely names him as one of those studying there.

[3] *Latimer's Correspondence*, I, 179.

[4] J. B. Mullinger, *History of the University of Cambridge*, and Prof. Mayer's edition of *Baker's History of St. John's College*, whence most of these well-known facts have been drawn.

one college to the other, listening to a song here, a speech there, and witnessing a masque at a third. The glamour of court society, thus suddenly displayed, can have been little short of a revelation, and his ambition for worldly power and position may have dated from that moment.

Upon other points he saw less contrast between his old home and his new surroundings. He found the sectarian warfare with pen and tongue at the University as merciless as the less refined bickering he had left behind him at Farnworth, and, fresh from his experiences with Catholic extremists, he found himself among Protestants who disagreed with him, and with each other, quite as radically. The very next year there were riots in Cambridge in protest against the wearing of the surplice and academic garb. In all this, Bancroft had his share. He seems indeed to have been rather fond of rough play with a quarter staff[1] and would have been killed in a town and gown row but for the timely intervention of his chum, Laurence Chaderton.[2] The latter, also a Lancashire lad, had entered Christ's when Bancroft did or a little later, and came, strangely enough, from a staunch Catholic family. It is remarkable that Chaderton, coming to Cambridge from a Catholic family, became the champion of radical Protestantism; that Robert Parsons entered at Oxford from Protestant Somersetshire, studied and taught Calvinistic theology and finally became the greatest English Jesuit of his time, while Bancroft, born and bred in a radical Protestant atmosphere in Lancashire, a student at Puritan Cambridge, finally became the opponent of both Puritan and Catholic and died one of the staunchest advocates of the Establishment.

What Bancroft studied at Christ's College, we do not know, but the university curriculum provided little Greek, and clung pretty closely to the medieval course with a liberal use of the new classics in English and French translations, like Amyot's *Plutarch* and Frontini's *Stratagems*. Gabriel Harvey declared in 1573:[3] "Aristotle's œconomicks and politiques every on hath by rote. You can not stepp into a schollars studye but (ten to on) you shall litely

[1] "Bancroft hath no less bestirred himself in this than he did in Cambridge with his quarter staff when any broils were on foot." Father Rivers to Father Parsons, July 28, 1602. Foley, *Jesuit Records*, I, 45.

[2] Dillingham, *Vita L. Chadertoni*, f. 7.

[3] *The Letter Book of Gabriel Harvey* (Camden Society) especially

finde open either Bodin de Republica or Le Royes Esposition upon Aristotles Politiques.'' Harvey mentions Socrates, Plato, Demosthenes, Cicero, Homer and Aristophanes, but it is evident that neither he nor his friends ever saw one of those books in the original, and they were not in the least disturbed by their deficiency. Theological study and the perusal of the Fathers of the Church in Latin, no doubt received considerable attention, for the books which Bancroft afterwards wrote evince some grasp of the literature of the early centuries.

The future archbishop learned more at Cambridge, however, than the information he derived from books. He met, and grew to understand the very men with whom he was afterwards to deal. Whitgift, later archbishop and Bancroft's patron, was at this time Lady Margaret Lecturer in Divinity, and then became Master of Trinity College for the rest of Bancroft's university career. His successor in the Lectureship was Thomas Cartwright, the notable Puritan, while the Senior Fellow of Trinity College was Walter Travers, who wrote the ''Book of Discipline,'' and later debated in the Middle Temple with Richard Hooker. In Laurence Chaderton, the future champion of Puritan ideas at the Hampton Court Conference, Bancroft found a close friend, while among his fellow students were Edmund Chapman, who was to organize the Dedham Presbyterian Classis, Humphrey Fenn, one of the most active Puritans in Northamptonshire, and John Knewstubbs, one of the Puritan representatives at the Hampton Court Conference. Then in 1567 came to Trinity College, Edward Coke, a man whom Bancroft was to find a most worthy antagonist in the days when the one was Chief Justice and the other Archbishop. It cannot be said that Bancroft lacked opportunity for understanding Puritanism or the Puritans, and certainly at this time, he came into contact with the intellectual side of Puritanism in all its strength, for Christ's College was infected with it. The deep insight he showed in later years into its tenets, his familiarity with its literature, and his acquaintance with its advocates, were not the acquisitions of a moment nor the product of mere study. At one time, Calvanism must have had for him a deeper significance than attaches to a purely speculative problem.

pp. 79 and 81. It gives us the best glimpse of university life until we come to the account in Casaubon's *Epistolae*, written from Oxford, between 1610 and 1613.

In 1567, he received his bachelor's degree, and at this critical moment in his life, was presented by his maternal uncle, then Archbishop of Dublin, to the prebend of Malhidert in St. Patrick's Church, Dublin, with a royal license for six months' absence during the year. The income of £18[1] which it brought him was of great assistance to the struggling scholar and he retained the prebend until 1597, residing probably at Dublin a part of each year during at least the first ten years of his incumbency.[2] The Catholicism and Protestantism he saw in Ireland confirmed to his maturer observation his early impressions that disorder necessarily resulted from sectarianism. There, all religious opinion seemed hopelessly entangled with political alliances and concerned far more the supremacy of Saxon over Celt and the political domination of Englishmen over Spaniards than it did the relative merits of two creeds. Secret murder and wholesale insurrections aided by a foreign army were the favorite methods of proselytism. The Rising of the North and the plots of Mary Stuart, all exaggerated by rumor, confirmed this impression on the one side, while on the other came the expulsion of Cartwright and Travers from the University on account of their radical tenets, and the riots and organ smashing in the Cathedral at Norwich, headed by his old friends, Chapman and Crick. Every disagreement between the Established Church and its clergy or laity began to rouse in him a vague apprehension that the malcontents possessed some further aim than the trifling difficulty ostensibly put in the forefront, and all complaints and pleas for dogmatic reform seemed to have concealed somewhere in them a desire to secure a change in the government of Church or State.

Shortly after taking his first degree and receiving his Irish appointment, Bancroft left Christ's College,[3] and went to Jesus College, where Cranmer had studied. There he remained as tutor from

[1] Irish State Papers, 176, n. 54. One would think that the journey to and from Dublin would have exhausted the stipend.

[2] In a letter dated August 10, 1608, Bancroft alludes to the "diuerse times" he was in Ireland and alleges familiarity with ecclesiastical matters there. S. P. Dom. Jac. I., 35, no. 47. The fact of his residence in Ireland is difficult to establish because the records of the Cathedral for the sixteenth century are lost.

[3] Heylin, *Aerius Redivivus*, 345, says that his uncle required him to leave because Christ's was too Puritanical, but there seems to be no other evidence for the statement. None the less, it may be true, for Heylin had unusual facilities for securing that sort of information.

about 1568 till 1574. His chief pupil seems to have been Edward Cromwell, third Baron of that name, who became in later life a soldier, was imprisoned and fined for complicity in Essex's rebellion, and finally lived to be a Privy Councilor under James I, and to see his tutor enthroned Archbishop.[1] Bancroft was unusually successful in preparing men for the fellowship examinations, though strangely enough he never became a Fellow himself.[2] It was during these years also that he laid the foundation of his knowledge of the Church Fathers and of theological controversy. In 1570, he proceeded M. A., and in 1572, signed with many of the younger graduates a petition against the introduction of the new Elizabethan statutes for the regulation of the University,[3] a fact which was borne in mind to his cost when, some years afterwards, he was suggested for preferment.

When Bancroft became a deacon is not known, but in 1574 he was ordained priest at Ely,[4] soon after he became chaplain to Bishop Cox of Ely, and then prebend at Ely Cathedral;[5] in the following March, rector of Teversham near Cambridge,[6] and one of the twelve university preachers. In fact he stepped into several positions which had recently been vacated by John Whitgift, taking up as it were the cloak Whitgift put off, assuming his *universitas* as the Civil Law had it. Although not positions of dignity or importance, they were by no means insignificant. Cox, under whose influence Bancroft now came, had been, as a young man, one of the first radical reformers in England and had then been an advocate of extreme ideas. He had however not been able to accept Calvinism, and

[1] John Harrington, *Nugæ Antiquæ*, II, 27.

[2] "Nunquam socius, verum tutor nominatissumus et potestate plane magistrali pollens, pupillos bene multos in sociorum numerum promovebat." Shermanni, *History of Jesus College*, f. 64, of the original manuscript, now in Sion College, London. Bancroft's room at Jesus was on the present staircase K. A MS. collection of the lives of the clergy written in 1648 asserts, however, that he was Fellow of the College, Stowe MSS. 76, f. 242 b.

[3] Lamb's Documents, 358-9. A copy of the signers' names is in the Petyt MSS. of the Inner Temple, 538. 47, f. 31.

[4] I am indebted for the date of his ordination to John Peile, Esq., Master of Christ's College, Cambridge. It is possible that until 1574 he had not decided definitely to enter the Church, though he must have been a deacon to have held his Irish Prebend.

[5] The official vellum presentation dated Dec. 21, 1574, is in Carta Miscellanea, XII, f. 27, in the Lambeth Palace Library.

[6] Institution Book in the Diocesan Registry, at Ely, dated March 24, 1575-6. The original oath of approval of the Thirty-Nine Articles signed by Bancroft on this occasion is still at Ely.

had been the antagonist of the redoubtable Knox at Frankfort during their exile. In fact, hostile to both Geneva and Rome, he was a true pupil of Cranmer, filled with that spirit of compromise and moderation which has always marked the English Church. Probably just at this moment, when Bancroft was without any very settled ideas on theological problems, but inclining towards Calvinism, the influence of the learned and venerable prelate was decisive.

The five years of his chaplaincy were fruitful of more than ideas. The post was no doubt irksome to him in the extreme, for he was conscious of his ability and learning, and yet found himself, instead of writing books and managing important affairs, busied chiefly with the examination of candidates for ordination, with the filing of presentations, with inquiries into the character and learning of men whom the Bishop proposed to induct into benefices. Instead of sitting in the councils of the State, he assisted the Bishop at the Consistory Court and at Visitations by interrogating the parties or witnesses to a suit, by interviewing recusants, and by chiding the slackness of churchwardens and sidesmen. Occasionally he preached a sermon and administered the communion at Teversham, and at times he must have been for months in London in attendance upon the Bishop. Once, in 1576 or 1577, he was appointed by Archbishop Grindal as one of the Archiepiscopal Visitors of the Diocese of Peterborough.

The main traits of his character were already apparent. First and foremost was his remarkable ability, coupled with his extraordinary energy, which, well under control and carefully husbanded, enabled him to accomplish the arduous tasks his great ambition planned. He was a typical Elizabethan, possessed of unusual power of acquisition, eager to try every branch of learning, intent on mastering whatever he undertook, and, withal, confident of his ability to conquer any and all obstacles. His consciousness of his own powers and of the clarity of his own thinking begot in him a certainty of the correctness of his own opinions and of the expediency of the course upon which he had decided, which led to a promptness in action and readiness in speech, which at times made him seem impulsive and careless. Then, too, he was filled with the spirit of the age, and like other men of his day, was quick of temper, prompt to resent injury, and expert in the use of his tongue. Time, however, and more than a slight contact with adversity, curbed the

ardour of his disposition and softened the asperities of his Lancashire nature.

Somehow or other, Bancroft now came into connection with Sir Christopher Hatton, the favorite of Elizabeth, and as political influence was at that time the only sure road to ecclesiastical preferment, the obscure chaplain eagerly grasped the opportunity to attach himself to such an influential man. A rather discredited tale relates that Hatton coveted certain of the rich bottom lands of the See and with them Ely House, the Bishop's Palace, but Cox, strenuously opposed to sacrificing a rod of land to such a man refused to give or sell the property. Possibly Bancroft attracted Hatton's attention by lending him some aid; perhaps Hatton noticed his learning and ability; at all events, on the resignation of Cox from his Bishopric in 1579, Bancroft attached himself in some way to the favorite.[1] Hatton was not possessed of a high moral character even according to Elizabethan standards, but his winning ways had been a passport to royal favour, and so frequent were the substantial testimonials of affection that the story of Hatton's life is little more than a list of grants of lands, offices and money. It was, then, a worldly atmosphere which Bancroft began to breathe, and it soon infected him, though his worldly uncle, the late Archbishop of Dublin, had no doubt already begun his education in that philosophy of life. Hatton certainly needed a chaplain, but hardly found the right man in the nephew of Hugh Curwyn. In one other point, the influence of the new patron coincided with that of the old: Hatton was hostile to Calvinism and its English adherents, and was so hated by them in return that Hawkins, the great sailor, was once nearly assassinated by a Puritan fanatic who mistook him for Hatton. But it was not the hatred of the Puritans but the fever for preferment, or for advancement of any sort, that now ran riot in Bancroft's veins and instilled into him a certain carelessness about the means which he used to attain his ends. Despite his clerical character,

[1] The only evidence is found in a letter of Whitgift's, written in 1597 (presumably from information supplied by Bancroft himself) that "he remained with the late Lord Chancellor 12: yeares at the least, for the most part in her Majesties Court." (Baker MSS. M. m. i. 47. f. 333.) Hatton died Nov. 20, 1591, so that Bancroft must have attached himself to him about 1579, but when he became Hatton's chaplain is not definitely known. Various dates have been suggested, 1582, 1584, 1586, but none seem to rest upon any valid evidence. He was certainly his chaplain in Aug. 1584. (Nicholas, *Life of Hatton*, 384.)

there can be little doubt that his ambition rode rough-shod over any minor moral scruples which stood in his way.[1] Like Francis Bacon, the great lawyer and philosopher, like Edward Coke, the great judge, both of whom found the road to greatness long and weary, he was on occasion an excellent casuist, possessed a convenient lack of memory for matters he found it expedient to forget, and was not over particular as to the methods by which he obtained the information he felt it important to have.

Opportunities for service soon appeared. Bishop Cox died in July, 1581, and, the administration of the See devolving upon the Archbishop of Canterbury, Bancroft was given the leading administrative post in the customary Visitation of the vacant See. Another chance came soon. In the Diocese of Norwich, Robert Brown, later the founder of Congregationalism, had begun a small nonconformist organisation, consisting of some ministers of the neighbourhood, of whom the most prominent was a certain Handson, living at Bury, who was said to be "in very deed the only man there blowing the coals whereof this fire is kindled."[2] The local gentry, being in favor of Handson and his followers, used their civil power as justices of the peace to prevent clerical interference and even went so far as to arrest one of the conforming clergy and to force him to leave the district, threatening him "with very evil manner of speeches," as a "seditious person," "a Jesuit," and a "roguing minister." These "schismatical" doings aroused the authorities at Norwich, who resolved in 1581 to see what could be accomplished by exhortation before they proceeded to force, but, although the danger was probably no greater than a shower of unseemly missiles would entail, they could not find a man who would accept the invitation to preach at Bury. They then applied to the University of Cambridge for an energetic preacher to bring the delinquents to a realising sense of their shortcomings. The University named Bancroft. With his usual energy and tact, aided by that very great power of handling men which he seems to have already acquired, Hatton's chaplain effectively defended the rites and ceremonies of the Established

[1] Nevertheless, it must be owned, that a careful perusal of the tractarian literature of the period has as yet revealed no charges against him except his brusque manner and quick temper. Other and better evidence, also hostile to him, shows a man of singularly gentle and conciliatory disposition, whose temper was well under control.

[2] J. Browne, *History of Congregationalism and Memorials of the Churches in Norfolk and Suffolk*, (London, 1877.), 43-46.

Church, and awakened no great hostility, though he certainly did not convert the people of Bury.

He had not been long in the town, before he discovered tacked up in the public square in plain sight, a travesty upon the Queen's seal with verses from the Scripture. "Therefore," ran one of the verses, "because thou (Elizabeth) art lukewarm and neither cold nor hot, It will come to pass that I will spue thee out of my mouth." He tore down the offending placard, instituted a vigorous but futile search for its author, and took particular pains to inform the Privy Council at London of the occurrence.[1] Innocent as the sorry travesty seems to us, its writer had plainly committed a serious misdemeanor under the Elizabethan statutes, and the treason was so patent and the bill had been so long exposed to public gaze without arousing adverse comment or causing its destruction, that the authorities in London were much afraid that the gentry of the whole district was disaffected. The great Jesuit scare was at its height: war with Spain was imminent: and any sign of disloyalty in England itself was a matter of the very first importance. Bancroft had a right to feel that he had rendered a service of some note.

Chance now brought the young man to the attention of William Cecil, Lord Burghley, the real administrative head of the Government. A scheme had been long on foot to erect a new college at Dublin and to provide for its endowment out of the land and revenue of St. Patrick's Church, of which Bancroft had been, since his college days, a prebend. His uncle, the late Archbishop of Dublin, had twenty years earlier succeeded in postponing the execution of the scheme,[2] and now, on its revival, Loftus, the Archbishop, wrote to Burghley and to Hatton to remonstrate against the despoiling of his cathedral. Remembering that Bancroft was a prebend of the institution, he made him his representative at Court. After much letter writing and personal conference, a compromise was at length effected by which Trinity College was founded without impairing the cathedral's revenues.[3]

[1] For this affair, see Whitgift's Letter of 1597, printed in appendix: Strype, *Annals*, III, pt. 1, p. 25 ff; III, pt. ii, 172 ff. especially letters of John Deye and Oliver Philips. What purports to be a copy of the placard is in Strype, *Annals*, III, pt. i, 176.

[2] Cotton MSS. Titus B, XIII, f. 119.

[3] Loftus to Burghley, Irish State Papers. 115. No. 27. March 18, 1584 5. Loftus's letter accrediting Bancroft to Hatton is printed in Nicholas's *Hatton* p. 359. The other letters have not been traced as yet.

In April, 1585, Bancroft became a Doctor of Divinity at Cambridge, and the following spring found him treasurer of St. Paul's Cathedral, a post worth £54 a year in gross, or £37 clear income.[1] He had already, in September, 1584, been presented to the rectory of St. Andrew, Holborn,[2] an important appointment for him, inasmuch as it gave him a residence at the metropolis, and now Hatton made him rector of Cottingham in Northamptonshire, although, in order to accept it without violating ecclesiastical law, he was forced to resign the rectory of Teversham.[3] Already familiar with the Puritans in East Anglia, his new post brought him into contact with the other Puritan center, a connection of utmost importance in view of later events. Indeed it is just possible that the appointment was expressly made to allow him to spy upon the Puritans without being suspected. Bancroft himself thus exemplified two of the abuses chiefly objected to by the Puritans, for he was both a pluralist and non-resident, the duties of his benefices being discharged by curates. It is extremely unlikely that he had spent since 1581 much time at Teversham or at Dublin, and probably for the next few years he resided wholly in London, except for occasional residence in Northamptonshire for purposes of investigation. All this preferment was, however, bestowed on him as reimbursement of the large sums he had spent in the service of the State, and was less a salary or reward than a payment of his expenses.

His writings and his work at Bury, the ability and tact he had shown in the negotiations regarding Trinity College, Dublin, had attracted attention. In January, 1585-6, Whitgift suggested that he be made Dean of Worcester, the great diocese where the Catholics were strong and unruly, and whence Whitgift himself had just come; but powerful courtiers, who favored another candidate, reminded the Queen that he was a chaplain of Hatton's, who, they

Strype says (*Life of Aylmer*, 64) that Bancroft was proposed for the See of London in 1582, but there is no other evidence. Again he speaks of him as Whitgift's chaplain in 1582, (*Life of Aylmer*, 64) and in 1584, (*Annals*, III, pt. i. 331). The latter date is probably correct.

[1] The original vellum presentation is in S. P. Dom. Eliz. 186, no. 49, dated Feb. 1, 1585-6. Le Neve in his *Fasti Anglicani*, II, 356 gives the date as Feb. 10, which is probably an erroneous reading of "I°" meaning primo. Lansdowne MSS. 983, f. 93. b. which purports to be a copy of Aylmer's register gives Feb. 16, which may be the date of the institution.

[2] Sept. 14, 1584. Lansdowne MSS. 983, f. 93 b. Burghley approved the appointment, see his letter to Hatton in Nicholas's *Hatton*, 384.

[3] Institution Book (MSS.) f. 315 b. in the Diocesan Registry, Ely, dated Jan. 18, 1585-6.

insinuated, inclined toward Rome. Inasmuch as Hatton was at that moment very much out of favour, Elizabeth listened and appointed a man whom Whitgift declared ignorant and of evil character.[1] "God forbyd that such a man should be placed there," wrote the Archbishop to Burghley in a passionate letter which the cautious statesman did not burn as he was requested to, "from that fowntaine are spronge almost all the evil bishopes and denes now living in England, and yet where is greater zeal pretended" than at Court. The royal control of the appointment of the higher clergy inevitably resulted in foisting upon the Church men whose advancement was dictated purely by political considerations and not infrequently by the personal feelings of the Queen. Bancroft himself had reckoned upon it and had no doubt attached himself to Hatton in hopes that some of the tangible marks of royal favour, which were showered upon the courtier in the shape of money and offices, might be deflected in his direction. Yet the first time he was mentioned for high preferment, his connection with Hatton was the most serious obstacle to his success. It speaks well for his loyalty to his patron that he remained with him in the latter's period of eclipse, but he was nevertheless too much of an opportunist not to provide for all contingencies, and, in August, 1584,[2] when Hatton's disgrace seemed likely to be more than temporary, he secured an appointment as one of Whitgift's chaplains, though it is doubtful whether he performed any of the duties until after Hatton's death in 1591.

An event of the year 1587 somewhat consoled him in his disappointment over the loss of the Deanery of Worcester. He was named a member of the High Commission, a post of very considerable dignity and honour, but it was far more important to him that he thus became a member of a powerful and growing institution which was to exercise a paramount influence upon the Church during the years to come. He saw that here at least was scope for his talent, and that by it he might raise himself to power and position.[3] There

[1] Whitgift to Burghley. July 28, 1586. Hatfield Calendar, III, 153. Leicester proposed Mr. Willis, Master of St. John's College, Oxford. A list of men "fit to be promoted to Deaneries" is headed by "Dr. Bancrofte." S. P. Dom. 186, f. 21. Jan. 16, 1585-6.

[2] The original vellum presentation is in Carta Miscellanea, VI, f. 52, in the Lambeth Palace Library, dated Aug. 29, 1584.

[3] The date of this appointment rests upon Whitgift's letter of 1597, and upon the endorsements of letters sent to him as High Commissioner during these years. The Commission of 1584 was never enrolled on the Patent Roll, and the only copy of the members we have (S. P. Dom. Eliz.

was but one drawback to his new dignity: like all he had previously held, and all he was to hold for another twelve years, it made him a subordinate, a man to do the work for which others should receive the rewards, and employed him in ways where the success of his endeavours as High Commissioner and his continued usefulness in that position depended virtually upon the secrecy with which his movements might be shrouded, and the perfect freedom with which he might change from place to place. So long as he remained the Lord Chancellor's chaplain, little notice would be taken of him. It was, in fact, in many ways fortunate for him and for the Church that he was not promoted to the Deanery, for no member of the upper ranks of the hierarchy would have acquired that effective tact in dealing with obstinate men, or that minute personal knowledge of the composition of the Catholic and sectarian organisations, and that command of the minutiæ of ecclesiastical procedure and administration which made him in 1597 the man of the moment. His self-effacement during the long years of dull routine and the opposition to his advancement were precisely the factors which moulded the vigorous Lancashire lad into a highly trained, energetic, and tactful administrator.

In many ways, these years of obscurity had been fitting him to lead. It seems to be a law of psychic development, that the unshakable conviction of existing wrong which makes a reformer great, must be gained by long personal contact with the very evil against which he protests and must rest upon personal suffering. The reformer must feel where others merely apprehend: he must actually suffer what others imagine to be true. Only then can the poignancy of his experience shape into glowing thought the complaints that linger, unformed, in the minds of others, and prepare him to act when others have scarcely comprehended the problem. Luther had first himself to seek the path to salvation through vigils, flagellations, and pilgrimages before he had branded upon his consciousness that conviction of the futility of salvation by works which alone enabled him to persuade others of the superiority of salvation by grace. Loyola first found through personal suffering that unquestioning submission which made the Jesuits so effective an organisation.

Journeying upon this same narrow and rough road of personal

228, no. 19) does not contain Bancroft's name. Of the Commissions of 1587 and 1589 we have no details and no copy of the Letters Patent.

endeavour, Richard Bancroft acquired, through long years of obscurity, the fund of experience which ripened into the conviction that a reorganisation of the Church fabric was not only imperative but possible. Ten years' observation at the University of Cambridge gave him an intimate knowledge of the type and capacity of the men who entered the priesthood. As pastor of a country church, as rector of a great London parish, he had time to become acquainted with the difficulties and problems of the lowest rank of the clergy. Then, as Canon, and Treasurer of St. Paul's Cathedral, he secured an unrivalled insight into the practical needs and shortcomings of the higher clergy. Seven years as Chaplain to the Bishop of Ely made him conversant with the routine life, the powers and the limitations of a bishop, while five years as Chaplain to Archbishop Whitgift rendered him expert in the affairs of the Province of Canterbury. The most private papers of Puritan and Catholic leaders passed through his hands as High Commissioner; he had numberless interviews with the men themselves, and thus obtained at first hand a knowledge of the personality and ideas of every prominent sectary in England.

No Elizabethan bishop had ever wrought in so many fields of ecclesiastical activity. Parker had been an admirable and learned theologian; Whitgift shone in controversy; Grindal and Aylmer had been gifted with administrative capacity of no mean order. Yet not one of them had possessed that particular union of theological learning and controversial skill with practical experience, that would enable him to see in the complexity of the situation itself those elements of latent strength from which the remedy must proceed. Each of them lacked a personal knowledge of the problems they were to meet. Parker and Whitgift were brought from the seclusion of academic life to assume the control of a great organisation. Grindal gained his administrative experience in the North of England; Whitgift obtained what little he had in trying to reduce the borders of Wales to order and uniformity; but the conditions and problems of the Catholic North or of the unruly West were entirely different from the actual administrative problems of a Church which concerned mainly England south of the Trent and east of Gloucester. Indeed, at the time of their appointment, each of the three attempted to refuse the Archbishopric on the plea that his previous life had not fitted him for so great a responsi-

bility. It was a fact of vastly more consequence that none of them had ever lived in close enough touch with the people, or with the great bulk of the country gentry to understand their aspirations, their hopes, and their fears. Those prelates had been attempting to solve problems of which they had little personal knowledge for a people whom they knew only by hearsay. Bancroft, on the other hand, had acquired by an intimacy of thirty long years an unrivalled comprehension of the people's actual religious beliefs. No small part of the progress made toward reconstruction in the years 1583-1603, no inconsiderable reason for its success, was to be found in the work of Richard Bancroft, as High Commissioner and Bishop of London.

CHAPTER III

UNMASKING PURITANISM

During the years, 1584 and 1585, there appeared suddenly petition after petition from all quarters of the realm, asking that some respite from obedience to the laws of the Church should be allowed certain "godly and peaceable men." These petitions, couched in moderate language, with protestations of loyalty and assurances of peaceable intent, did not fail to impress the authorities. Parliament, the Queen, Burghley, Leicester and most members of the Privy Council were overwhelmed by this flood of protestations from ministers, town corporations, justices of the peace, and the gentry of whole counties in a body.[1]

With hardly a dissenting voice, all sang one song. Loyal and peaceful ministers were said to have been vexed by the Bishops for small offences of no moment, while some had even been deprived because they had refused to subscribe to a set of captious, unnecessary, and illegal articles, offered them by the Bishops. What mattered these things "indifferent" they queried. If a minister were learned, godly in conversation, pious in life, and loyal to his Queen, was not that enough? They declared that they had willingly and freely observed the spirit of the law, and they thought it unjust to be so harshly treated for slight infractions of its letter. They insisted that they were inspired solely by spiritual considerations, and found no attraction in the flesh pots of Egypt or in the riches of Babylon: "They whose hearts the Lord had touched would thresh

[1] Exactly how many there were it is difficult to state. "The petition of the House of Commons" is in Strype, *Whitgift*, III, 118-124, (and see I, 350 ff.) D'Ewes *Journals*, 357-9. "Mr. Sampson's Book for the Parliament," 1584, perhaps the most notable of all, is in Strype, *Annals*, III, pt. ii, 278-301. For still others see Strype, *Annals*, III, pt. i, 264; 268; 321. *Whitgift*, I. 249; 362; 496. Many of the histories of Puritanism are little more than recapitulations of the various Puritan petitions. Morrice MSS. A, B, C contain numerous unpublished petitions of this period.

to get their living rather than that the people should want preaching.''[1] And yet, learned, godly, and loyal as they had been, they were turned out of their livings to the grief of their congregations, and saw ignorant and unfit men put into their places, who could not give the starving people the spiritual bread which alone could prevent their perishing in so untoward a day and generation. Being neither schismatics nor fanatics, they would not leave the Church: they would die for the Queen, and would, in any case, suffer patiently and in silence all injustice until, by her gracious favour, she was pleased to relieve them. In short, if the language of these documents were sincere, if the adherents of these ministers were proportionate to the number of the petitions, it was clear that very many worthy people were unlawfully and unjustly persecuted with little reason.

Elizabeth and the Privy Council were visibly impressed and the Bishops were astounded, for all had been accustomed to think of the Puritans as an unimportant body of rather troublesome radicals whose noise was out of all proportion to the cause. But the political situation at the moment made any disaffection in England a thing of great danger. With France inclined to be hostile; with the Netherlands, England's natural ally, in the throes of a life and death struggle for liberty; and with Philip II of Spain apparently watching for the most favorable moment to strike a crushing blow, every man loyal to Elizabeth must be conciliated. Moreover, the Reformation had made the administration of the Church a matter of political rather than ecclesiastical expediency, for, by effecting a close union of Church and State, Henry VIII had made every religious question political, and had tinged every issue of State with religion. Every attempt to alter the religious settlement became a blow at the State; every refusal to attend church or to accept the ordinances of the Establishment, savoured of treason to the Crown; and, in turn, whatever affected the stability and strength of the State, inevitably reacted upon the Church. When adhesion to the ecclesiastical system was made a test of political loyalty, the good of the Church, as an institution, was naturally subordinated to the

[1] John Penry, *The Aequity of an Humble Supplication*, 1587. In his *Appelation of John Penri to Parliament*, 1589, he wrote, ''My Cause is the Cause of the Church, and so the Cause of many thousands of the most trusty, most loving subjects that her Majesty hath, whose hearts, by the repelling of this my suit must be utterly discouraged and thrown.''

safety of the State. For years, every ecclesiastical problem had been regarded in fact not as a religious but as a political issue, to be handled circumspectly and cautiously, for in its train might follow ruin for Church and State alike. No chances were to be taken. The Bishops' laws might be excellent, their conduct blameless, and their intentions highly commendable, but the fact remained that, although the Queen had expressly ordered them to rouse no animosity among the people at large, a very considerable number of what seemed to be her best and most loyal subjects were seriously offended. What was more, if half of what they alleged was true, there had been no adequate reason for such action on the part of the Bishops. And thus, for nothing at all, here were justices of the peace, the gentry of whole shires in a body, and great numbers of the lesser laity, "in high dudgeon" because of episcopal conduct.

The Bishops' answers in defence were of no avail; reason and logic could not explain away the fact that, at a most dangerous crisis, at a moment when to swerve ever so lightly to right or left from the path of undeviating moderation, might mean ruin for England, they had offended many influential and loyal men. The Privy Council informed them so in stinging sentences.[1] The clergy were astonished. "I know your Lordship desireth the Peace of the Church," wrote Whitgift to Burghley, "but how ys yt possible to be procured (after so long libertie and lack of discipline) yf a few persons so meanelie qualified as most of them are, shold be countenanced against the whole state of the Clergie of greatest account for learning, stedyness, wisdome, religion, and honestie."[2] "It ys more than strange that a man in my place, dealing by so good warrantize as I do, shold be so hardlie used; and for not yielding be called willfull."[3] Aylmer, the Bishop of London, declared that "Using this warrant for my shield, (being not forbidden by her Majesty) I am blamed for not taking upon me a matter wherein she herself would not be seen. Well, I leave it to God, and to your

[1] This well-known correspondence has been often used from Strype's inaccurate copy in his *Whitgift*, I. 308 ff. The originals of Burghley's and Whitgift's letters are in the Manuscripts of the Marquis of Bath and have been carefully printed in the *Historical MSS. Commission's Report*, II, 26 ff. Copies from Whitgift's own letter book are in Morrice MSS. I, V. f. 13, and ff.

[2] Strype, *Whitgift*, III, 110, July 3, 1584. Bancroft's first letter now extant seems to concern one of these answers. Dated Nov. 6, 1584, S. P. Dom. Eliz. 175, no. 2, Bancroft to Hatton.

[3] Strype, *Whitgift*, III, 110, July 15, 1584. See also Whitgift to Hatton, Morrice MSS. L. V, f. 14-15.

wisdom to consider in what a dangerous place of service I am.''[1]

The Puritans and their friends at court were jubilant. Leicester, once the favorite of the Queen, but now long supplanted, had espoused Puritan ideas, and had joined cause with Francis, Lord Knollys, the Treasurer of the Household. Between them, they led the assault on the Bishops, which had withal a political tinge, being connected with the petty squabbles and cabals among the councilors and courtiers. Victory, they thought, would soon perch upon their banners and the Bishops, and with them the odious Lord Burghley, would be humbled. Suddenly and without warning, they found that the Queen turned them a cold shoulder, while their friends outside discovered that the Council no longer paid any attention to their ''moderate and loyal'' petitions. A young doctor of divinity, the Chaplain of Sir Christopher Hatton, one Richard Bancroft, had come forward with proof that these pious petitions and phrases were neither the result of discontent with the Bishops, nor the product of a widespread feeling of dissatisfaction among the laity, but had their roots in a scheme of some hundred odd ministers to change the government of the Church from Episcopacy to Presbyterianism.[2] He made perfectly clear the existence of a widely ramifying, secret, and really treasonable organisation among these ''humble'' and ''loyal'' ministers.

With this detective work, Bancroft had been busy for two years. No doubt, the first glimpse of what was in progress came to him at Bury, whither he had gone to preach against Brown and Handson who were at that time leaders of the movement. His previous experience in Lancashire, Ely, and Norfolk, had made him suspicious of all fair protestations of that type and had taught him to look behind the mask. He had read with avidity all the published tracts of the leaders, and had recalled much of his previous knowledge of the men and their opinions, garnered in the days when they had debated with one another daily over the dinner table at Cambridge. It is just possible that Chaderton, Bancroft's bosom friend fifteen years earlier, had approached him in the interests of the new party,

[1] Strype, *Aylmer*, 77. Cf. Petyt MSS. 538. 47, f. 28 (1574).

[2] ''By his dilligence to find out certain Letters and writings, Mr. Cartwright and his accomplices, their setting up their discipline secretly in most shires of the Realm, their Classes, their Decrees, and Book of Discipline were *first* detected.'' Whitgift's Letter, 1597. Baker MSS. M. m. l. 47, f. 333. Printed in full in the Appendix.

perhaps to secure his adherence, perhaps to obtain his influence with as popular a man as Hatton, or had in some unguarded moment let slip a phrase which gave a clue to the secret. Bit by bit, from evidence collected in Essex where the organisation already existed in 1582, from questions put at random to witnesses before the High Commission, and from correspondence with officials of the Bishops, Bancroft pieced together the significance of these strange happenings, though by no means in that detail or accuracy with which we can follow them to-day. For the sake of clearness, however, it will be better perhaps to give at once the gist of the story,[1] rather than to trace the development of his knowledge of it.

During the ferment of opinions which succeeded the installation of Protestantism in England by Elizabeth, two Cambridge divines, Thomas Cartwright, the Lady Margaret Lecturer on Divinity, and Walter Travers, the Senior Fellow of Trinity College, broached the idea that Episcopacy was not the true form of church government which Christ and the Apostles had instituted, and suggested that a church discipline vested in ministers and elders, and in synods, provincial and national, would be more consonant with Scripture. The two were expelled from the University and took refuge abroad. When their ideas, four or five years later, had attained greater clarity, Travers gave the theory some form and consistency in a book published at La Rochelle, the Huguenot stronghold. Meanwhile in England, it had become the custom, shortly after 1570, for the ministers in the more Puritan districts of the realm, to meet together once a week for exercises in preaching. The clergy were not learned, and as men better equipped were not to be had in sufficient numbers, those who were in office were to be educated, by "prophecies," to such a point of efficiency that they would be capable of delivering sermons. Grindal, the Archbishop, in 1576, approved of the idea, for he was half Puritan himself, but the Queen interfered and the prophesies were forbidden. The ministers who had attended them, chiefly Puritans, had, however, learned a great deal of one another's whereabouts and ideas, and, gradually, in the years following, little

[1] The history of this Classis movement has been worked out in some detail by the present writer in the Introduction and Documents he prepared for the Camden Society (3rd. Series, Vol. VIII, London, 1905.) under the title of "*The Presbyterian Movement in the reign of Queen Elizabeth, as illustrated by the Minute Book of the Dedham Classis.*" In this volume will be found at length the evidence for the account given in the following pages.

groups met monthly at one another's houses in a very secret and informal way for prayer and mutual instruction in the Scriptures, which very soon grew into the giving and taking of advice upon questions of church discipline. Thus, gradually and unconsciously, there had been coming into existence in the East and Midlands, a number of such groups as Travers had contemplated as the basis of his new scheme of church discipline, and when the leaders, who had been in correspondence with each other for some time, awoke to the fact about 1584, they immediately began a plan for putting Travers' whole scheme into operation. Their purpose at first was not so much to practice it themselves as to secure its substitution by the State for the Episcopacy already established by law.[1] If it was indeed the plan divinely ordained by Christ for the government of His Church upon earth, it was not only expedient but necessary for the salvation of the English people that it should be made the established form of worship.

According to the "conservative" idea generally accepted by the "party," no complete "substitution" would be necessary. Such a system ought to be, and indeed, they declared, was already legally extant in the English Church: it would be necessary to reform the Church, not to alter it. If the surplice, kneeling at communion, the ring in marriage, the cross in baptism and the like were omitted, and a careful revision of the wording of the Common Prayer Book were made, the pristine simplicity of ritual would have been restored. The institution might easily be remodeled; the archbishops and bishops, archdeacons and ministers were each to be assisted in church government by eight or twelve persons, "grave and godly men of worship," who were to be appointed at the assemblies of the Church. The latter, practically Presbyterian synods, were to be developed with little trouble from the gatherings of the clergy at visitations, thus creating a classis out of the archdeacon's visitation, a provincial synod out of the bishop's, and a national synod out of the archbishop's. In all of them, a new procedure could be easily introduced, because the manner of proceeding had

[1] "The whole controversy between us and the Bishops is, whether the external government of the Church of Christ be a thing so prescribed by the Lord in the New Testament, as it is not lawful for any man to alter the same." (Waddington, *Penry*, 22, quoted from a Puritan without acknowledgement.)

always been, in a large measure, discretionary with the official in charge.[1]

The penal laws, however, greatly hampered them in introducing these modifications, and when they had read the statute book, and taken legal advice, they found that they must move warily. Petitions and complaints were the only legal proceedings open to them,[2] and they well knew, moreover, that to make public any desire to supplant Episcopacy, could not fail to incur the wrath of the Queen. They must ask for a little, and when that was granted, extend their demands, until by successive "reforms," the liturgy, the ceremonies, and the government of the Church should be made conformable to the Presbyterian model as set forth by the early Fathers of the Church. First of all, the concession of a little more latitude in observance of the liturgy, a little less rigid adherence to the Bishops' demands, were desiderata of the greatest importance, since, if the State were not satisfied with their non-conformity in things indifferent in exchange for their loyal support, it could hardly be expected to look with favour upon the new "Discipline," as they had christened their scheme. To this end, they thought nothing so well calculated to aid the cause as a great array of petitions, so moderately phrased, coming from so many quarters at very nearly the same time, that they would give the impression of the existence of a great body of loyal, peaceable men, discontented with the conduct of the Bishops. Great pains, however, were taken to have them differ in wording, in date, and the like, so that while they voiced practically the same complaints, they should not arouse a suspicion of collusive preparation.

Here was the explanation of the array of petitions which had so astonished the Queen and her Council. They had originated with the ministers, who had drafted, signed or procured the signatures, and forwarded them. Of this process the action of the Dedham Classis is typical. "Mr. Tay moued whether the Churches shuld not ioigne in supplication with others being a duty in them to saie

[1] Usher, *Presbyterian Movement*, xviii; 85, 89. Strype, *Annals*, III, pt. i, 320. Classes seem to have been set up also in Jersey and Guernsey in 1586. Additional MSS. 28571, f. 120.

[2] Knollys, the chief adviser of the Puritans at Court, wrote to Burghley, "I do marvel how her Majesty can be persuaded that she is in as much danger of such as are called Puritans as she is of the Papists; and yet her Majesty cannot be ignorant that the Puritans are not able to change the government of the Church but only by petition at her Majesty's hands." Lansdowne MSS. 66, no. 52., Jan. 9, 1591-2.

for their pastors being faithfull and they depriued of them, as it is to saie if they had noe pastors, it was thought necessary the congregations should make a supplication."[1] "Mr. Lewis craued the brethrens aduise what course he might take to prevent the practice of Mrs. Awdley for his removinge out of his place, the gift of the benefice being in her hand, it was answered that he shuld signifie to the people of his parish his mynd and stirre them up to laboure with my Lorde Chanceler for the preventing of it, and to procure unto them a good minister."[2] "Where questions were moued tutching supplications to be made to the Counsell, it was thought good that one shuld be made for many Townes, and Maulden to haue one by itself."[3] These were duly presented and are among the most famous and oft-quoted of all the petitions. "Yt was thought best that some gentleman be moued to solicite the cause to the Counsell, and yt was decreed that Mr. D. Chapman and Mr. D. Cricke shuld go to my Lorde Riche and to Sir Roberte Jermin with letters from the brethren to that end."[4] In 1585 the classis thus ordered: "The oppressions of the Bishops, their courtes and officers are to be registered and gathered towardes the people, but especially towardes the mynisters."[5]

The apparent success of their first essays disarmed the more radical, who presently issued an anonymous tract, entitled an *Abstract of Certaine Acts of Parliament*, which tried to demonstrate that the clergy of the realm were not required by law to subscribe, read the service, or perform a number of other things upon which the Bishops insisted. This book Bancroft answered, also anonymously, in *An Answer to the two first and principal Treatises of a faction's Libelle put forth latelie without name of Author or Printer and without approbation by authoritie, under the title of an Abstract of Certain Acts of Parlement.*[6] He denied that the only laws which the clergy

[1] Usher, *Presbyterian Movement*, 36, June 1, 1584.

[2] *Ibid.* 55, Feb. 7, 1585-6.

[3] Usher, *Presbyterian Movement*, 58, Sept. 5, 1586.

[4] *Ibid.* 61, Jan. 1586-7.

[5] *Ibid.* 93, 1585.

[6] This tract printed anonymously gives no direct clue to indicate its authorship. Strype says in *Annals*, III, pt. i, p. 338, that either Cosin or Bancroft was the author. But a careful examination of the tract, the existence in it, in unmistakeable form, of the ideas which we know were Bancroft's, and the style and general tone leave no doubt in the present writer's mind that he was the author of it. On the other hand, the ideas and style of Cosin in his acknowledged works are quite different. The tract, however, has usually been assigned to Cosin, chiefly on the authority of H. M. Dexter's entry in his *Congregationalism*.

were to obey were contained in acts of Parliament, asserted that the ecclesiastical laws and canons were quite as binding upon them, and continued by declaring that, if this were not so, the statutes when properly understood, effectively bound them to all these practices. On the whole, in this wordy dispute,—for he took care to reply to every remark and statement of his opponent —Bancroft had quite the better of it, but both books were extremely dull.

The next product of Puritan zeal was a certain *Bill and Book*, which was meant to be presented to the House of Commons. To this, Bancroft wrote a refutation,[1] in which he showed conclusively that it really contained not a proposal of slight reformation, but a thorough-going plan for the substitution of one hierarchy for another, one Prayer Book for another; that the Book of Discipline very clearly impugned three of the Thirty-Nine Articles, upset Episcopacy altogether, and abrogated the Queen's supremacy over the clergy. Writing in the assumed character of a statesman, he preferred to treat not of the merits of the scheme but of its effect upon the State. "If I be not deceyved, I find a shamefull, sleyghtie, and Cuninge pointe, smothly passed over in this book exhibited. It is well knowne yt some ring leaders in this schisme have tawght that it was not lawfull to have a prescript forme of service in the Church; but now there fellowes have framed us one. Belike they ment every such kind of service to be unlawfull except it weare of theire owne makinge." From these two tracts we can see how much Bancroft knew and understood, at this time when his information must have been anything but complete. To recount their contents in detail would however only be repeating what he said much more forcibly and clearly in his famous sermon two years later. The Council forbade his publishing so clear a statement of the situation, for as yet he had no evidence which would convict the leaders in a court of law, and since the State was warned, there was little danger in allowing the Puritans to continue their practices. Far better to allow them to incriminate themselves before alarming or apprehending them. It was also

[1] S. P. Dom. Eliz. 199, no. 1. dated by the Editor of the Calendar, March 2, 1586-7. Probably it was written in 1585, as an answer to Mr. Sampson's *Book for the Parliament*, 1584, Strype *Annals*, III, pt. i. 320. It is evidently a reply to this tract and he would hardly have waited two years and a half before replying.

more just, because after all they might intend only to propose the scheme.

Such, however, was not the Puritans' intention. Their petitions, for some unaccountable reason, had not been successful; their scheme—for, apparently, they had presented to Parliament the Book of Discipline itself in the belief that so godly a plan needed only to be seen to be accepted—had not been approved by the House of Commons, though that body had petitioned the Queen in their favor,[1] and meanwhile the men in the country were becoming impatient to see this Discipline established. The leaders, Feilde and Wilcox of London, Snape of Northampton, Chaderton of Cambridge, Knewstubbs of Suffolk, and Raignolds of Oxford, now augumented by Travers and Cartwright, who had been lured back to England, came to the conclusion that, with care, they might put their scheme into practice and still elude the clutches of the law. They proceeded, however, little by little. First the Book of Discipline was revised and re-revised by a council of prominent men and forms agreed upon which were to take the place of the Book of Common Prayer and of the Book for the Ordination of Bishops, Priests, and Deacons. Then, they built up from the classes provincial synods, and finally, in 1586 and 1587, held national synods at Cambridge during Commencement week, and at London during the Parliament, where various "Orders" were "considered" and "thought well of," which in their phrase were equivalent to "passed" or "enacted"—words which they could not use without infringing the law.

Moreover, unconscious of the real trouble at court, and attributing the royal coldness to the malign influence of the Bishops, they continued to petition at intervals all through the years 1586-1587. Then, somewhat discouraged, the more radical determined to undermine the influence of Episcopacy in the country at large and with the Queen in particular, by making it ridiculous. Knollys and

[1]There is some reason to believe that the House took more decided action on their behalf. "Yet have they passed a Bill in that House touching the matter: which besides other great inconveniencies as namely by the Tryall of the Ministers sufficiency by 12 Laymen, and such like hath this also, that if it pass by Parliament, it cannot hereafter but in Parliament be altered . . . . There is likewise now in hand in the same house a bill concerning Ecclesiasticall Courts, and Visitations of Bishops which may reach to the overthrow of Ecclesiasticall Jurisdiction, and Study of the Civill Lawes." Whitgift to the Queen. March 24, 1584. Morrice MSS. L, V, f. 15.

some of the other strong Puritan supporters at Court favoured the scheme.[1] Accordingly, in 1587, came forth a small pamphlet, dedicated "to the Confocation House," and "compiled for the behoofe and overthrow of the unpreaching Parsons, Fykers, and Currats that haue learnt their Catechismes and are past grace," and was, so the title page proclaimed, "printed over sea in Europe within two furlongs of a Bouncing Priest." It assailed the Bishops' personal characteristics, deeds, and beliefs, with a certain ribald humor very pleasing to the Elizabethan mind. The sally was undoubtedly successful in attracting public attention, and, before long, copies of a similar pasquinade were floating around the London streets. No one knew how the tracts came there, nor who wrote or printed them. This sheet was even more outspoken than its predecessor, alluding to the Dean of Salisbury as a " verie patch and a duns," as a "very knaue and enemy unto the sinceritie of religion as any Popish prelate in Rome," and declaring open war upon "the swinish rabble" of these petty popes, and "pettie Anti-christs, proud prelates, intolerable withstanders of reformation, enemies of the gospell and most couetous wretched priests." Martin would publish every one of their mistakes, it said, and to glean information against them, would put a "young Martin in euerie parish . . . euerie one of them able to mar a prelate."[2]

Bancroft's first attempts at ferreting out their origin were entirely fruitless. Finding himself unable to suppress the tracts, he hit upon the expedient of anonymously answering them in similar vein.[3] He would thus show that there were humorists in favor of the Bishops as well as against them, and ludicrous facts to be revealed about Mar Martin himself. Doctor Some was pressed into service and soon produced a series of answers bearing titles as euphonious as could be desired. *A Whip for an Ape* was followed by a *Counter Cuffe for Martin Junior,* which gave away in turn to *A Pappe with a Hatchet, alias a Figge for my God sonne, or Crack me this Nut. . . . Written by one that dares call a dog a dog . . . to be*

[1] "It is confessed that Penry hath said before any of the libells came forth that a nobleman deceased, did encourage him to write bitterly against the Bishops: that if he were discovered he should not be imprisoned by the Commissioners, but by some others and for a fashion and so shortly after delivered." Lansdowne MSS. 61, no. 22. (1591.)

[2] *The Epistle to the Terrible Priests of the Confocation house.* A full account of what is known of these tracts is in Edward Arber's *Marprelate Controversy.* He publishes a good bibliography of them.

[3] Whitgift in Baker MSS. M. m. I. 47, f. 333.

sold at the signe of the crab tree cudgell in thwackcoate lane. The contents were in keeping with the title.

By this time, Bancroft had read enough intercepted letters, examined enough men, and seen enough with his own eyes on varied journeys into suspected districts, to understand pretty thoroughly what was going on. As yet, however, he had very little legal proof. The leaders were extremely cautious: they never said that they had decided upon any course, but that they had "considered of it," or had "discussed it and thought well of it." The time was not ripe for closing the net, but Bancroft felt that the hour had at last come for opening the eyes of the English people to the real designs of the Puritans. The moment was propitious, for the defeat of the Great Armada in the previous summer, had roused a spirit of loyalty in the hearts of Englishmen to Elizabeth and her government. Counting upon this very fact, Penry and Udall had begun the printing of the Marprelate tracts, in November, 1588, with the hope that in such a national crisis, the Queen would feel strong enough to sacrifice the Bishops altogether in order to placate so important and considerable a body of men as the Puritans now felt that they were, and to unify and consolidate the realm as a whole against the common foe, who, it was feared, had only retired to return stronger than ever. This motive Bancroft fully appreciated, but he also saw that the Queen would now very likely feel herself capable of crushing the obnoxious Puritans entirely, once she could feel sure of their real designs and numbers. The people must, however, be informed and who was so fit to tell them as himself. Dr. Some had tried to outdo Martin Marprelate himself at fun-making; Bishop Cooper and the Dean of Salisbury had tried argument, and had been bespattered with mud for their pains. Bancroft stepped into the breach with a denunciation of the Puritans, so scathing in its arraignment, so lucid in its statement of their real aims, and so overwhelming in its proof of its assertions, that it carried conviction to every hearer and reader. The turning point in the history of Elizabethan nonconformity was Bancroft's sermon at Paul's Cross, on the assembling of Parliament, February 9, 1588-9.[1]

[1] Strype in his *Whitgift*, I, 559, gives the date erroneously as January 12, 1588, an unaccountable error, unless there was another sermon. January 12th fell, in that year, on Sunday.

His text aptly and significantly foreshadowed his message. "Dearly beloved, believe not every spirit but try the spirits whether they be of God: For many false prophets have gone out into the world." He described at length the early heretics and the detestation with which the Church Fathers had regarded them, skilfully choosing examples which would cause his hearers to apply the old definition of false prophets to the Puritans before he himself did so in words. False prophets are "humble and lowly in outward Shew but yet of nature very contentious and unquiet, doting about questions and strife of words: whereof cometh Envy, Strife, Railings, and Evil surmisings. Their mouths do speak proud things and swelling Words of Vanity: likewise dangerous things. They are bold and stand in their own Conceit: They despise Government, and fear not to speak Evil of them that are in dignity and Authority: whereas the Angels which are greater both in power and Might, give not railing judgment before the Lord. They are libellers, and do speak evil of those Things which they know not. They are bolder in avouching their untruths and in depraving their Superiors, than Michael the Archangel durst be when he strove against the Devil." "Beware of false prophets that come to you in sheep's clothing, but inwardly are ravening wolves." Beware of them that "would have the people to be always seeking and searching. . . . Now they are carried hither, now thither. They are always learning, but do never attain the truth. . . . They wring and wrest the Scriptures according to their fancie."

'By their fruits ye shall know them,' and from this new Book of Discipline will appear whether these new prophets so lately sprung fullarmed from the brow of their own conceit, be true or false.[1] "There are very many nowadays who do affirm, that when Christ used these words, 'dic ecclesiæ,' he meant thereby to establish in the Church forever the same Plat and Form of Ecclesiastical Government, to be erected in every Parish, which Moses by Jethroes Council appointed in Mt. Sinai. . . . . They had (say these men) in their Synagogues, their priests, we must have in every Parish our pastors: They their Levites, we our Doctors: They their Rulers of their Synagogues, we our Elders: They their Levitical Treasurers,

[1] We have at least five printed editions of the Book of Discipline, all of them differing in the text, not merely in the printing. Bancroft possessed apparently copies of all five, the last two in manuscript. Of the first edition, there are no copies extant.

we our Deacons. . . . Where this Ecclesiastical Synod is not erected, they say God's ordinance is not performed." Is this the proposal of a few changes and alterations? Are these the few grievances which these humble and godly men petition us to make in our Church? They propose here not a reformation, but a substitution, a total subversion of our government and the establishment of their own in its place. We shall now exchange our Book of Common Prayer for their Order of Service, their Synods and Pastors for our Bishops and Deacons, and where we have now as they say twenty-two popes, there will then be a thousand. The old adage is very applicable, he said,

> Where God sets up a house of Prayer,
> The Devil builds a chapel there.

Look a little closer into the divine origin of this scheme. According to their statements, this Book and this Government were ordained by Christ for the government of the church, and are most perfect and agreeable to God's word, and yet in this perfect form of prayer and in this divine plan of government, they have themselves made since its issuance no less than six hundred alterations, and have completely changed its arrangement. What authority, then, cried the preacher, can such a frame possess, which is one day declared perfect, and on the next recast by its own makers; is then decreed for perpetual observance, only in the year following to be amended and altered? If they complain of the evils of the government of the Established Church, and if they will propose a divine plan of government to substitute for it, let them at least agree among themselves what that divine plan is before they desire the Queen to erect it in the State. In very truth, concluded Bancroft, this new "plat and form" is like all other plans—the product of men's brains. It would be indeed strange, he insisted, if the only divine form of church government "should never once be thought of or put in practice for the space of 1500 years" and now be resurrected by tailors and shoemakers.

Such, then, he continued, are the characters of these unquiet spirits, and such are their ideals. The motives which have led them to espouse such a cause have been the desire for complete freedom to do as they pleased, scorn for the Bishops, and a greed of honour and

position. "When through ambition, they could not get the places they looked for in the Church, they sought to attain them in their particular synagogues." "I am fully of this Opinion," said he, "that the Hope which many men have conceived of the Spoil of Bishops Livings, of the Subversion of Cathedral Churches, and of a Havock to be made of all the Churches' Revenues, is the chiefest and most principal cause of the greatest schisms that we have at this day in our Church. I would be loath to say this much if I did not have very apparent reason to lead me thereunto." Their own leaders denounce them as "Cormorants that seek to fill the bottomless sacks of their greedy appetites," as men who would be "content to crucify Christ so that they might have his garments." As the central note of their scheme we find the restoration to the Presbyteries of all the property alienated from the Church by Henry VIII, but quarrels and jealousies over its apportionment and control, when it shall have been returned to the Church, have convulsed their party and nearly wrecked it. "The clergy factious do contend that all the Livings which now appertain to the Church, ought of right to be employed for the maintenance of their Presbyteries. . . . The lay factious . . . (urge) that our preachers ought to conform themselves to the Example of Christ and his Apostles . . . . If they have a mess of pottage and a canvas doublet, may it not content them?" "The one sort you see, would bring us to the government, which was as they say, in the Apostles' times, but they would have the Livings of these Times, the other sort, not caring so much for the said government do greatly urge in the ministry the Apostolical Poverty to the Intent that they may obtain the prey which they look for. Whereby I doubt not, but it is manifest unto you that Covetousness in them both hath thrust them into this Schism."

Here, therefore, summed up the preacher, is a new "divine" scheme of church government, thrice radically revised within five years by its own makers, a clergy torn by dissensions over doctrine and discipline, and at variance with the laity of their own party over the division of the spoils of the present Established Church. What a polity is this! The results of its proposal sufficiently forecast the evils of its adoption. "Her majesty is depraved. Her authority is impugned and Great Dangers are threatened. Civil Government is called into question. Princes' Prerogatives are curiously scanned. The interest of the people in Kingdoms is greatly advanced, and

all government generally is pinched at and condemned. The Church is condemned, the ancient Fathers are despised, your preachers are defamed, and yet these men are tolerated." He drew with no sparing hand the disorders in Geneva, in Holland, and above all in Scotland, where a very similar sort of Discipline had for some time been practised. If this Discipline were adopted, the same intestine war, cruelty, greed, and schism would rack and wrench England to its foundations.

With this Church proposed by the Puritans in England, and practiced at Geneva and in Scotland, he contrasted the Church of England. "The Doctrine of the Church of England is pure and holy; the Government thereof, both in respect of her Majesty and of our Bishops is lawful and godly; the Book of Common Prayer containeth nothing in it contrary to the word of God." What a contrast between order, peace, holiness, and authority on the one side, and on the other, dissension, strife, greed, and the freedom of every man to do what he listed. "Dearly Beloved, try the spirits whether they be of God." "The Church which maintaineth without Error the Faith of Christ, which holdeth the true Doctrine of the Gospel in Matters necessary to Salvation and preacheth the same: which retaineth the lawful use of those sacraments only which Christ hath appointed, and which appointeth vice to be punished, and Virtue to be maintained: notwithstanding in some other respects, and in some points, it have many Blemishes, Imperfections, nay divers and sundry Errors, is yet to be acknowledged for the Mother of the Faithful and the House of God."

The sermon was delivered on the morning of February 9, 1588-9, and was licensed for publication on March 3.[1] Its effect both as delivered and as published was immediate and gratifying to its author, for it made him known from one end of England to the other. Although it aroused the greatest concern among the Puritan leaders, who at once appreciated the fact that a man who knew as much, must know more, this sermon alone went unscathed at a time when every other important argument and manifesto raised in defense of the Church was parodied and ridiculed by Martin Marprelate. The Puritan faults had been held unsparingly to the light, proved by their own writings and intercepted letters, and set forth in a terse English, which, without losing its scholarly tone, was

[1] *Stationers' Registers.* Ed. Arber.

comprehensible to every one. This sermon was not a thing to be brushed aside. It compelled attention.

Cartwright and Reynolds wrote to Bancroft to confute his ideas of the Church Fathers, and when Cartwright was later imprisoned, he kept up the dispute in private conversation as well as by letters. "Thus you say," wrote Bancroft, "if you, sir, (i.e., Bancroft himself) had ever read ye ecclesiasticall historye, ye might have found easily the eldership most flourishing in Constantyne's tyme." "Now, good master Cartwright, . . . I know you are master of great reading and much good learninge; but yet I cannot cease to wonder at your opinion. As I told you, in my poore iudgment, you mistook the meaning of Eusebius and that marvelously; so also I then sayd and still do hold you to likewise mistake this seconde pointe, much more strangely."[1] Then came tracts and pamphlets dictated not by scorn, or anger, but by keen alarm. John Penry, probably the author of many of the Marprelate tracts, became serious and wrote *A Brief Discovery of the untruths and Slanders (against the true government of the Church of Christ) contained in a sermon preached on the 8th of Februarie,*[2] 1588 *by D. B.* John Reynolds, the learned scholar of Corpus Christi College, Oxford, famous for his readings on Aristotle, issued *The Judgment of Doctor Reynolds concerning Dr. Bancroft's Sermon at Paul's Crosse,* which was highly enough esteemed and sufficiently well known to justify reprinting, in 1641, as one of the manifestoes of the Long Parliament. He also wrote a public letter to Sir Francis Knollys, the Treasurer of the Queen's Household, which the latter used as an excuse for a speech in the session of Parliament, at the beginning of which the sermon had been preached.[3]

The storm in England among the Puritans was exceeded in vehemence by the tempest which the sermon aroused in Scotland. To illustrate the fate in store for England if the Book of Discipline were adopted, Bancroft had given, at some length, a description of the condition of Scotland where it was in practice, that could not

[1] Additional MSS. 32092. f. 123. Cartwright's Reply in f. 125. These clearly are only a part of the correspondence.

[2] A misprint for the "9th."

[3] Printed later in a tract entitled *Informations or a protestation (offered to the Parliament at S. Johnston's 1 Julii,* 1606) *and a treatise (of Kirke Government) from Scotland. Seconded with D. Reynolds his letter to F. Knollys and Sir F. Knollys his speech in Parliament concerning Dr. Bancroft's sermon at Paul's Crosse, 9 Feb.* 1588, pp. 94, 1608.

fail to offend the fiery Scotch ministers. Bancroft said in plain language that the clergy ruled Scotland and its King in a most arbitrary manner, and with plentiful inconsistencies and contradictions of deed and word. In his opinion, they sought chiefly their own advancement, erected in themselves what they had cast down in the Bishops, aped the papal authority, and "established an ecclesiastical Tyranny of an infinite Jurisdiction, such as neither the Law of God or man could tolerate." In brief, he concluded that their government was the mother of all "Faction, Confusion, Sedition, and Rebellion."

The wrath of the Presbyters ran high. " At the first publishing of Mr. Bancroft's sermon, there was nothinge but breathinge out threatenings," wrote one of the English embassy, "of I know not what Canonical confutation to be set forth by the general consent of their Provinciall Synode, anathematizing as well ye readers as ye author of that schismaticall libel."[1] James seems to have expostulated with the angry ministers, and they desisted from their purpose, although, very likely, "for feare of rippinge up ther old sores and uncovering the shame of their reformacon alla scochese." When, however, in November, 1589, James was well out of the way on his journey to Denmark to fetch back his bride, the idea was brought forward of a "supplication" to Elizabeth for the punishment of "such abuses against the puritie of their reformacon." Bowes, the Ambassador, only prevented this by promising to secure the result by his own intercession, which, after much hesitation, was at last grudgingly accepted by the ministers, who nevertheless gave him to understand that if he did not succeed at once, they would renew their own attempts "by some extraordinary meanes." All this Bowes faithfully reported to London, where it was duly passed on to Bancroft and Whitgift.

The news that the book against his sermon was in process of preparation roused the controversial spirit in Bancroft's breast, and in December, 1589, he wrote to the secretary of the English Ambassador for all sorts of information which he intended to use in his reply.[2] He had already written to Melvill, "the chief of the great

[1] R. Naunton to Dr. Copcoat of Corpus Christi College, Cambridge. Additional MSS. 32092, f. 106. Nov. 17, 1589. This and the letters of Ambassador Bowes to Burghley (State Papers Scottish, 46, nos. 47, 48, 69.) the sole authority here.

[2] Bancroft to R. Naunton. Egerton MSS. 2598, f. 242. Dec. 23, 1589. Original, signed. The paper of questions in f. 244.

Rabbies,'' he said, and he now thought of making a detailed consideration of the condition of the Scotch Church. All the Puritans, he went on, hold up to us the example of other Churches as illustrative of the beneficial effects of the ''imbracinge of that most counterfeyt and falsly-patched up government which is tearmed, the presbitery, a meere humane device divised by shifting and sleight, attayned by tiranny and bloud, and mainteyned with untollerable pride and with most strange boldness in expoundinge the Scriptures and falsifyinge of all antiquitie.'' Certainly his ideas were formed, for the Doctor was not a man to mince matters in phrasing, but his singularly judicial temperament in forming them appears clearly in his plans for writing this report. He wished, first, copies of the actual letters which Knox and Melvill had always boasted that Beza, Peter Martyr, and other great European Calvinists had written them in commendation of their Church settlement. These he thought Naunton could get by pretending a willingness to be converted to Presbyterianism, if he could only see some great men's opinions in favour of it. More useful yet would be the copies of the letters which the Scotchmen had written abroad, which, said Bancroft, he felt sure had completely misstated the situation. In any event, he wished to know. Then, all sorts of statistics seemed to him desirable: the number of parishes and of presbyteries; the qualifications of the presbyters and deacons; their duties and powers, whether they were all able preachers, what the standard of learning was; what legal authority had they over the laity for the correction of moral sins; was there any appeal from their decision; if the old Canon law was abrogated, what standard of law did the presbyteries follow in judging, or had they none at all; and so on, for three closely written folio pages. All his books, as well as his letter, evince the strength of his opinion that in controversial matters, nothing was so strong as the absolute truth, and that the only way to reach it was by genuine historical research, by the accumulation of first hand evidence in the language of the participants, and by the collection of detailed statistics. He saw with perfect clarity that no progress in all these matters could be made by debate upon Scriptural interpretation or by argument over the language of the Church Fathers. That his researches had brought him to the truth, he was also perfectly convinced, but he realized that the strongest argument against Presbyterianism, as the strongest defence of Episco-

pacy, lay not in the plea of right but in the plea of expediency. But this contemplated retort was never written. In the following year, John Davidson, a Scotch minister, printed, at Edinburgh, a fulmination entitled *D. Bancroft's Rashness in Rayling against the Church of Scotland.* The King was troubled, conferred with his Council about it, during October, 1590, and seriously entertained thoughts of suppressing it. Burghley wrote to him, and forwarded a letter from Bancroft, extenuating his conduct. James read this letter, "aduisedly, commending the witt of the writer," but thought nevertheless, that Bancroft ought to retract his statements in another public sermon from Paul's Cross, for, in saying that the ministers had carried matters with a high hand, the Doctor had not been able to avoid the implication that James was a puppet in their hands—a conclusion which the King naturally relished very little. Some further talk and stir in Edinburgh came to nothing. Bancroft never retracted his statements, and the whole question slipped out of the public mind, although as long as Bancroft lived there was no peace between him and the Scotch ministers. The incident, however, had introduced James to his future Archbishop, with whose ability the monarch was impressed.

With the end of the commotion over his sermon, Bancroft himself disappeared from the public eye. The Puritan leaders were still at large: the Classis movement was at the flood tide of its career; the Marprelate tracts still issued from the press; and the successful consummation of the work he had begun demanded renewed self-effacement, for the hand directing the crushing blows which now fell upon all these bodies must not be suspected. He seems to have conducted his campaign during these five or six years by an untiring correspondence with the local officials of the suspected districts. When an answer came, that led him to believe a man was in league with the Classis, some of the Privy Council spies, placed at his service by Walsingham, very quickly uncovered the truth. His best information was derived from the interception of hundreds of the letters exchanged by the Puritan clergy and gentry. As most of the arrangements and advices sent from one Classis to another went by letter, instead of by message, his information soon became very complete. A letter, it was true, ran the risk of discovery, but the continual movement of men to and fro was certain to be observed and as quickly suspected. In judging

Bancroft, we should bear in mind, that although such an espionage is to-day considered disgraceful, it was universally thought, at that time, a commendable and justifiable procedure.

The Classis party of 1584 had, in the meantime, become three,—the result of disagreement. The quarrels over the exact form of the Book of Discipline had opened a rift which had soon become a chasm and separated Brown, Greenwood, and their followers from the main body. Then, the more conservative leaders soon saw good reason to regret the Marprelate tracts, partly because of the ribald language in which Penry and Udall had indulged, partly because they had told more truth than was convenient,[1] and partly because they had incurred the wrath of the Government to such a degree that the leaders feared that the search for the press then hidden at Fawsley, would lay bare all the secrets of the Disciplinarian party. Instead, therefore, of catching one big fish, in closing the net, Bancroft was scheming to take three smaller fry[2].

When Greenwood and Barrow had, in 1585, put themselves outside the pale of the Discipline, they had at once begun to hold secret conventicles in London, which were promptly brought to light, and, inasmuch as the offence was covered amply by the penal laws, Greenwood found himself, late in 1586, lodged in prison, and Barrow, imprudently venturing to visit him in broad daylight, was soon incarcerated with him. There in prison the two remained, with some intervals of freedom, for nearly seven years. Very likely they were among the sectaries who were the object of a clerical crusade to the London jails, in the spring of 1588-9, which, headed by Bancroft, visited all the Puritans twice a week and had orders "to seek, by

1 "The Puritans are angry with me: I mean the Puritane preachers. And why? because I am to open. . . I did thinke that Martin should not have beene blamed of the Puritans for telling the truth openly." *The Epitome*, p. iii (preface.) "Three most greeuous accidents did greatly astonish us, and verie much darken the righteousness of our cause, the first was a foolishe iester, who tearmed himselfe Martin Marprelate and his sonnes, which under counterfeit and apish scoffing did play the Sycophant: and slanderously abused manye persons of reuerend place and note. . . . Howsoeuer it was, the blame lighted upon us." Josias Nichols, *Plea of the Innocent*, 32. 1602.

2 The best authorities for the apprehension and conviction of the Puritans are Waddington's *Life of Penry*, Arber's *Marprelate Tracts*, and the documents fully cited in the Bibliography of Usher's *Presbyterian Movement*, chiefly printed. Strype's *Whitgift*, II and III. Both Waddington and Arber consider Bancroft the discoverer of the secret.

all learned and discreet demeanure you may, to reduce them from their errors."[1]

The press on which the Marprelate tracts were printed had been located in one of the outbuildings of the Knightley's estate at Fawsley in Northamptonshire,[2] and having escaped detection for nearly six months, while pursuivants and spies searched the districts about London and further north, they began to believe themselves secure. Then, in February, 1589, a gentleman attended by his servant presented himself to the elder Knightley with a letter of introduction from a great lord in London. He stayed to dinner, and discoursed most amiably upon all sorts of subjects, expressed himself charmed with the house, investigated with the greatest urbanity the old wood on the wainscotting, the thickness of the walls, and the size of the chimneys, until it began to dawn upon the knight that something besides antiquarian interest was prompting his guest's inquiries. When he discovered that the visitor's servant, meanwhile, had been filling his lackeys full of his own beer and had been asking them very numerous questions, he took alarm.[3] That night, in great haste, the press and its belongings were packed off to Coventry, and in the flight over the rough and almost impassible road, the cart ran into the ditch and very nearly upset all the type into the mire, whence it could not have been recovered before daylight. Coventry, once reached, sheltered the printers for a while, and then, they fled to Manchester, where, in August, they were at last caught, with a half-finished tract in the press, but tired of flight and willing to surrender to the Earl of Derby. For the nonce, the authors escaped, Penry wending his way to Scotland.

Hardly had the excitement in official circles over the capture of the printers subsided, when Bancroft took into custody, late in 1589, several members of the Classes. Stone, Johnson, and Cleuely, of Northamptonshire, and Parker of Dedham were chosen as most likely to be communicative.[4] They told so much that Bancroft was eager to try still larger game, and therefore apprehended Snape,

[1] *A Collection of Certaine Sclanderous Articles given out by the Bishops against such faithful Christians as they now uniustlie deteyne in their prisons, togeather with the answear of the said prisoners thereunto.* Dort. 4°, p. 6 (1589).

[2] An interesting picture of this house is in the *Northamptonshire Notes and Queries*, I, 117.

[3] See the long account of the spy's visit in Lansdowne MSS. 61. It is impossible to identify him with Bancroft or any other person.

[4] Internal evidence in the *Dangerous Positions.*

one of the leaders. The latter and his associates had, however, long been in the habit of taking legal counsel, and had not neglected to obtain advice as to so probable a contingency.[1] He made the most of legal obstruction, and, well aware that he could not even be arraigned by the High Commission until he had taken the oath *ex officio,* refused obstinately to be sworn. Finally, perceiving Bancroft to be as determined as he was himself, he agreed to take it if he were first allowed to see the interrogatories which he was to answer. Although this was a privilege forbidden by the ecclesiastical and civil law all over Europe as well as in England, and although Bancroft suspected that Snape merely wished to find out how much the Government knew, he yielded. His misgivings were amply justified. As soon as Snape had learned all he could from a rapid perusal of the questions under the close scrutiny of the Commissioners,[2] he obstinately shut his lips, and then took the very first opportunity to write to his anxious colleagues outside, as much of the indictment as he could remember. It was quite enough to arouse keen solicitude, for he concluded, "by all which, besides many other thinges specified, it is most euident, that they haue manifest and certaine knowledge, not only of generals, but also of specials and particulars. . . . Touching the conferences, those of our Country are yet more particularly discouered . . . Iudge you. The thing they ayme at is a Conuenticle. It must come to tryall."[3]

As usual, Bancroft read this letter and then forwarded it. He was in no hurry to make further arrests, and was entirely willing that the leaders should know what Snape had told them. He hoped that the news that all was discovered would give ascendancy to a party already strong among the Disciplinarians, which advocated a full confession of their doings with a petition for mercy. Now, therefore, insisting that Bancroft had already discovered the truth, they declared that it would only aggravate their offence and increase the severity of their punishment to deny what was already proved by their own letters. The more radical argued, on the other hand, that even if everything they had done was proved thrice over,

[1] Usher, *Presbyterian Movement.* Text of *Minute Book,* 31, 36, 38, 39, 57, 65.

[2] "After much adoo, I obtained to see and peruse the Articles against me (but briefly and in their presence only)." Snape to Barbon. April 11, 1590. Usher, *Presbyterian Movement,* 20.

[3] This incident is told in full in *Dangerous Positions* as reprinted in Usher's *Presbyterian Movement,* 19, 20.

they had committed no crime, and had therefore no reason to fear trial. They had not "enacted" or "decreed" anything, but had always been careful to use words, "discussed," or "referred for further consideration;" no "judgments," no "verdicts," or "sentences," of any sort had been rendered on any case, though "advice" had been liberally tendered. All this, moreover, had been "voluntary and free," and no attempt had been made to compel any one to obey or heed it. During the long summer they debated and corresponded and, finally, in September, the fiat went forth that nothing should be confessed.

Without more ado, Bancroft arrested Cartwright, Fenne, Lorde, Jewel, and other prominent men, and when news of this spread, another anxious conference took place to consider whether Cartwright should reveal everything. But another decision was given in the negative. After some futile attempts to deal with the culprits in a body, Aylmer, the Bishop of London, with Bancroft, Lewis, and some other Commissioners, sought in a private interview to induce Cartwright to break his vow of secrecy.[1] A struggle ensued, in which Cartwright refused to be sworn, or to give any testimony upon oath, and as constantly attempted to tell his story in the discussion over the lawfulness of taking the oath. The Commissioners had no mind to have him declare, at some later time, that he had answered all the charges against him, when legally not a word he uttered had been a valid reply, for unsworn testimony was as valueless in ecclesiastical proceedings as in any other court of law. Indeed, until the culprit had recognised the authority of the court by taking the oath, and by replying to the questions asked him, no legal process could be instituted, and he could not be legally sentenced. Hence, if he could only avoid being sworn, Cartwright was perfectly well aware that he could not possibly be tried or convicted.

Aylmer began by declaring that Cartwright had been guilty of breaking the peace of the land by unlawful meetings, and by making laws for the observance of her Majesty's subjects, and had offended the justice of the realm by refusing to submit to judicial proceedings or to take the oath required of all parties. The Puritan begged that before he gave his reasons for declining to take the oath, he might be allowed to answer such grievous charges, and when the

[1] Strype, *Aylmer*, Appendix V., gives a long abstract of a contemporary account. A manuscript account is in Lansdowne MSS. 68, f. 114.

Bishop reiterated his demand that he take the oath and give his replies in regular course, lamented at length the tyranny of proceedings which accused men of grave crimes and then denied them the opportunity to defend themselves. He was taking exactly the opposite ground from Snape who had refused the oath, because the authorities would give him no statement of what he was accused. The one had declined to be sworn until he had seen the charges, the other declined to take the oath, because, being told what the charges were, he was not allowed to make his answer without being sworn. Aylmer had thought to avoid this dilemma by his unusual introductory speech, but he had forgotten with whom he had to deal.

Cartwright finally asserted that the reasons for his action came from the Word of God, which was superior to any law of man. Mr. Cartwright ought to have a care, suggested Dr. Lewis, that in refusing the authority of the High Commission, he does not deny the supremacy of the Queen, to which the minister retorted, that the oath was an institution made by the Commissioners and not sanctioned by the Queen, for Elizabeth had issued Letters Patent in which it was not named. As Bancroft tried to interrupt him, Cartwright tartly requested him to wait a moment, but, after some further words, allowed him to proceed. The Doctor then supported Cartwright's affirmation, but declared that the Queen had seen fit to insert that power into recent Letters Patent, largely on account of his illegal doings. The minister, however, equal to the emergency, retorted that he did not refuse to swear, but merely declined to "swear in such sort as they required." Quick as a flash, Bancroft taunted him with his unhesitating acceptance, at a prior time, of the same oath and its legality, and said that no more was required of him now than had been then. But a few words dropped in the ensuing interchange of repartee gave Cartwright his opportunity.

He averred [1] that he and his friends had "*never held conferences by any authority, nor ever made any laws by any manner of com-*

[1] This is the sum and substance of the Puritan defence, and is legally good, despite the fact that it is virtually only a quibble. Of this, Bancroft was perfectly aware. *The Minute Book of the Dedham Classics* proves that they had actually compassed very nearly everything of which they were charged, but by means of playing upon words they had been able to avoid the legal terms. Usher's *Presbyterian Movement,* pp. xxii and xxiii takes up this point in some detail. See also Chapman to Cartwright, id. p. 81.

pulsion, to procure obedience unto them.'' All which was very true, replied Bancroft: he had no authority and therefore could not very well use any: he needed no compulsion, seeing that all the members of the Conferences had sworn upon their admission to the Classis to obey all orders agreed upon by common consent. But, he continued, ''Think you thus to go away in the clouds, or to have to deal with men of so small judgment as not to see what is your drift? Do we not know from whom you draw your discipline and church government? Do not we know their judgments and their practice? Which is to bring in the further reformation against the Prince's will by force and arms?'' Geneva, France, Scotland show very truly the consequences of this plotting. He had no intent to hide himself in the clouds, returned Cartwright, but he would never be able to demonstrate his innocence, if Bancroft was to reply to every answer, that he very well understood its drift. Of these seditious practices at Geneva, in Scotland, and in France, of which the Doctor spoke so glibly, he remembered nothing, and thought that such charges did the Reformed Churches much injury. Aylmer stopped him with another demand to take the oath, and on receiving a prompt denial, closed the session.

The same tactics were pursued by the rest of the imprisoned Puritans and it soon became apparent that the High Commission would never be able to begin any legal process against them.[1] The trial was therefore removed to the Star Chamber, where Bancroft was still the mainstay of the prosecution,[2] furnishing the information for all the interrogatories, and briefs, used by the proctors or advocates.[3] In 1592, the lawyers finally reported that no illegal practices could be proved, and the members of the Classes were released on promises of good behaviour. The backbone of the movement, however, was broken, and although a new agitation in favour of the Discipline was undertaken by the same party early in the

[1] ''This day Arthur Hildersham personally appeared and upon his Petition and other ecclesiastical considerations the said Commissioners did discharge and release his former bond wherein he stood absolutely for not using any of his ministry in any place.'' April 3, 1591. Signed by Aylmer, Hopton, Fleetwood, Stanhope, Bancroft, High Commissioners. Morrice MSS. M. no. viii.

[2] The original ''brief of the Byl in the Starchamber,'' with annotations by Whitgift is in Additional MSS. 32092, f. 126.

[3] Whitgift's letter in 1597 makes an especial point of this service. Baker MSS. M. m. l. 47, f. 333. The best MSS. authority is in Harleian MSS. 7042, f. 1-118. Copies by Baker from Puckering's originals. Also Lansdowne MSS. 68, no. 43.

reign of James I, no actual organisation, on any considerable scale, was again attempted.

Meanwhile, Udall, one of the authors of Martin Marprelate, had fallen into the clutches of the law, and, in 1590, was tried at the Assizes [1] and condemned to death. His pardon in 1592 was of little value to him, for he died shortly after. Scarcely had his case been disposed of, when Bancroft unearthed a conspiracy to kill the Queen as a necessary prelude to the introduction of the Discipline. Three men, Coppinger, Arthington and Hackett were clearly proved to have declared openly such a purpose, and, although they were probably partially demented, they expiated their fault on the scaffold. In March, 1593, Greenwood and Barrow, who had been for some years in and out of prison, were executed for printing seditious books, and now, in his turn, Penry found the net slowly but surely encompassing him. Attempts had been made to induce James to extradite him, and emissaries had laboured to entice him over the Border. Finally, in desperation, he returned from Scotland, and in the space of a fortnight was captured, tried, and executed.

Our modern ideas naturally teach us to look with horror upon the execution of men for printing books or for holding religious meetings. The perfection of our new system of police and great stability of government in general have led us to regard such practices as temporary ebullitions, which quickly die a natural death when left to themselves. In the conservatism and apathy of the great majority of the people, we find a sufficient safeguard against the overthrow of the State. But in the sixteenth century, the severe laws upon the statute books prove that preaching and printing were universally regarded as two great incentives to popular disorder, and inasmuch as London was practically unprepared to cope with a riot, a small band of determined fanatics might compass the subversion of the Crown, before aid could arrive. Moreover, the contemporaries of Shakespeare regarded death with comparative nonchalance, and as the natural method of expiating any crime: men and women were daily hanged for stealing goods to the value of twelve pence, and the catalogue of capital crimes mounted into the hundreds. Bancroft and the High Commission did no more than

[1] Bancroft's authority appears clearly in the tone of his letter of instructions to Puckering, Feb. 20, 1590-91. Harleian MSS. 6995, f. 48, holograph. One of his warrants of arrest is printed by W. Stoughton, *An Assertion for True and Christian Church Policy*, (1604) 336.

carry out the intention of the Queen, of Parliament, and of an overwhelming public opinion.

Bancroft produced two treatises which he meant should give the truth about the Classis Movement and the Book of Discipline so vividly that its significance would be unmistakeable, and which should demonstrate it so convincingly from the Puritans' own books and intercepted letters, that refutation would be impossible. The *Survey of the Holy Discipline* examined the ideas of this new platform of government, related the history of its making, and explained its analogies with the Dutch, Scotch, and Genevan principles. He wished, so said the preface, to prevent men's minds in so "giddy" an age, "from running up and down after every young start up hither and thither." Naturally, his consideration of the new plan could end only with a fresh assertion of the merit of the Established Church. *Dangerous Positions,* in its turn, showed the attempts of the Puritans to practise this new scheme and to force the State to adopt it. First came the idea of introducing it by "railing" in the numerous petitions and the many published tractates; then followed the Discipline by Practice, and the History of the Classes and of their secret organisations; finally he gave a description of the endeavour to carry out their purpose, by "Threatening" through the Marprelate tracts and Coppinger's plot. Both volumes were compiled from the books and letters of the Puritans, and every point of importance was substantiated by many quotations of a direct and unequivocal nature. Most of the references to printed tracts prove to be accurate, and manuscript copies of some of the letters tally so closely with the quotations that the most sceptical must admit that his work was conscientiously done.[1] This anonymous tract was immensely popular; reached the second edition within a year, and maintained this reputation, for Watson, a secular priest, ten years later showed himself familiar with it,[2] and William Laud cited it as authoritative. In the first year of the Long Parliament, there appeared three more editions, while the sixth issued from the press in the days of Swift and Addison. Copies found their way to Scotland, to Europe, and even

[1] In a copy of Bancroft's *Dangerous Positions* where Knewstubbs is mentioned slightingly, is written in a contemporary hand—"Mr. Knewstubbs is as honest a man as he that wrote this booke."

[2] Watson's Letters in *Archpriest Controversy* (Camden Society) I, 213. (1599)

to the infant Puritan colony of New England.[1] Indeed, in Scotland, the rage of the "godly" over the sermon was almost surpassed by their violent disapprobation of the *Dangerous Positions*. Twelve years later, when Melvill and Bancroft met on opposite sides of the Council Table at Whitehall, Melvill was still nursing his wrath, and brought with him a copy of the book, which at the right moment he shook in Bancroft's face, telling him that he esteemed him "the capital enemy of all Reformed Churches in Europe."

[1] There are three copies in the Prince Library in Boston, a collection which dates from the seventeenth century.

CHAPTER IV

CONCEPTIONS OF CHURCH AND STATE

The mental ferment which accompanied the Reformation aroused a vast amount of speculative thought upon doctrine; the mental ferment which accompanied, and which was one of the causes of Reconstruction, occupied itself almost exclusively with the conception of Church and State, with their relations to each other, and with the form of church government. The tenet of the royal supremacy became important politically, and its acceptance had been so strictly insisted upon by the State, that there was, in the first half century, very little discussion of its theological significance, and indeed a disinclination to recognise that it possessed any. This idea Elizabeth had fostered, for it helped the Catholics to accept the oath. But, as the doctrinal disputes among the leaders drew to their conclusion with the framing of the Thirty-Nine Articles, and were frowned upon by Elizabeth as attempts to define her settlement more clearly than she thought wise, ecclesiastical controversy veered round toward the subject of government and administration. Cartwright and Travers had declared that Episcopacy was not the government which Christ had instituted, and to the attack and defense of this position rushed the theologians. The new phase accentuated even more sharply than had the earlier disputes the aspect of the Reformation as an appeal to history. While the argument and inevitable recrimination ranged a wide field, the real issue was the practice of the primitive Church as historical research in its records showed it to be. From this nucleus grew a general discussion as to the relations of Church and State, and, consequently, an attempt to make more definite the previous conceptions of both. The three most prominent names in this development are Whitgift, Bancroft, and Hooker.

The early reformers had not paid much attention, one way or the other, to Episcopacy as an institution. Cranmer had declared that he valued his episcopal title no more than he did "the paring of an apple." "I would that I, and all my brethren the bishops

would leave all our styles, and write the style of our offices, calling ourselves 'apostolos Jesu Christi'." [1] At another time he declared, "There is no more promise of God that grace is given in the committing of the ecclesiastical office than it is in the committing of the civil office." [2] In similar words, Jewel maintained that God's grace was not promised to sees and successions but to them that fear Him. On the whole, Episcopacy was regarded by most men as a convenient and probably necessary institution, but there were many who did not hesitate to express lack of reverence for it as a theory. It was very generally conceded to be expedient, but many would have been quite ready to admit that some other system might be more symmetrical and less affected by the traditions of Rome. Far from believing Episcopacy divine, the early reformers saw no reason to cherish it for its own sake or for its traditions. The key-note of their policy was to assume that no defence was needed for what had not yet been attacked, and that all in good time, this temporary make-shift, necessary at the moment for the preservation of public order, would be replaced by some other and better form, when the learned had, after due consideration, decided what that form should be.

Under such circumstances appeared the *Admonition to Parliament* and other works by Cartwright and Travers in which Episcopacy was assailed in earnest, and the "fact" squarely placed before the Bishops that the government instituted in the Church by Christ and neglected for fifteen hundred years was the Presbytery. Whitgift took up the defence of the Church, and in his replies to Cartwright, laid down the broad outlines of the position which the English Church has practically maintained ever since, for neither Bancroft nor Hooker altered his main contention. "There is," said he, "a double government of the Church, the one spiritual, the other external. Christ only and none other. . . . spiritually governeth his Church. . . . The external government hath both a substance and a matter about which it is occupied, and also a form to attain the same. . . . The substance and the matter of government must indeed be taken out of the Word of God, and consisteth in these points, that the Word be truly taught, the sacraments rightly administered, virtue furthered, vice repressed, and the

[1] Cranmer's *Remains and Letters*, 305. May 12, 1535.

[2] Cranmer's *Works*, Jenkin's Edition. II, 102.

Church kept in quietness and order. The offices in the Church, whereby this government is wrought, be not namely and particularly expressed in the Scriptures but in some points left to the discretions and liberty of the Church, to be disposed according to the state of times, places, and persons."[1] It was a question of expediency, not of the divinely inspired origin of any form of government.

The controlling idea of Whitgift was the dignity, beauty, and worth of the Church as a historic institution. He needed no conviction of the divine right of Episcopacy to impress him: the great spectacle of the Church of the past, with its trains of popes and bishops, before whose feet humbly knelt kings and princes, sufficed to fill him with awe. The learning of St. Augustine, and of St. Thomas Aquinas, the holiness of St. Francis, and of St. Benedict proved to him conclusively that knowledge and virtue had flourished in the shadow of the chair of St. Peter's successor. Nor could he bring himself to believe that the Church had been totally devoid of grace during the centuries which intervened between the days of the Apostles and the times of Calvin, and that the failure to observe the discipline by elders and pastors had irrevocably damned the men who had striven so nobly during those dark ages to lead barbarians into the paths of grace, mercy and truth. An institution to which the great had done homage, to which the learned had registered their assent, to which the Saints had lent lustre by their example, could surely lack neither dignity nor holiness nor the approbation of God. Yet he saw clearly that evils had arisen; that not all popes had been good; that not all Cardinals had been learned; and, unable to believe Church or pope infallible, equally unwilling to agree that Scripture contained an infallible law, he came to the conclusion, that man's reason and experience[2] must show him the form of church government and of religious worship most consonant with his present needs. He saw Episcopacy, not as a divine institution, for it had not been

[1] Whitgift, the *Defence of the Answer,* Preface to the Reader, *Works,* (Parker Society) I, 6.

[2] These ideas soon became well accepted. Diotrephes says of Episcopacy, "I am a doctor of diuinitie at the last, and yet could I neuer read any thinge in the worde of God, contrarye to this gouernemente, neither yet to speake of any other, but that the ordering of the Church is left to the discretion of the wise and learned." *The State of the Church of England laide open in a Conference between Diotrephes, a Byshop, Tertullus a Papist, Demetrius an us-*

delivered to man as the only form of church government which God would approve, but as a method of organisation which the united voice of tradition and experience had demonstrated to be most fit for the upholding of virtue and justice, and for the repressing of vice and sin. As such, it was not repugnant to the Scriptures, and, having the authority of the Apostles, who had been inspired by God, it possessed the divine approbation.

All this begot in his mind the idea, equally new for an Elizabethan cleric, that the Church existed for itself, and that its connection with the State ought to redound to the benefit and glory of the Church. The State might well shield the Church from its enemies, relieve it in its distresses, aid its work in the regeneration of men, and even shape its external polity by the shrewd wisdom gained in secular affairs. He was heartily and thoroughly convinced that the control of the State over the Church would, if properly directed, be productive of the best results. He realized that the Church was, of itself, unable to remedy the administrative difficulty that now threatened its very life, and he beheld in the Crown the one power which might rescue it. But he insisted that the welfare of the Church should be the statesman's ideal, and that he should never sacrifice the ecclesiastical to the temporal. Whitgift was thus by no means a blind follower of what we call Erastianism.

Whitgift had disputed at best a question of abstract right and had written for the learned. Moreover, he had framed his ideas as refutations of another man's statements, and had, in consequence, scattered them through a good many pages, and hidden their significance amid much erudition. The discussion had been academic and had not influenced opinion outside the universities and the learned. Whitgift, too, sympathized with Calvinism, and failed to state his beliefs regarding the excellence of Episcopacy in striking or even clear form. Bancroft now appeared in his sermons and tracts, with a statement of Whitgift's position, which at once made it clear to everyone. His energetic personality and terse language vivified the whole conception. He stripped it of its controversial garb, unified it, clarified it, simplified it, and thus

erer, Pandocheus an Inne Keeper, and Paule a Preacher of the worde of God. (British Museum, 109, a. 7. undated. Dated on title page in contemporary hand, 1588.)

revealed its practical aspects. Moreover, he gave the idea an application which it had not before had. At the time Whitgift wrote, the Presbytery had been merely a speculative "error" of Master Cartwright's, but when Bancroft spoke it had been already tried. He was thus able to show its workings, and to level at its supporters a biting sarcasm which was vastly effective. Whitgift had partially convinced the learned; Bancroft seems to have carried almost the whole nation with him.

While it is always difficult, if not impossible, to measure the influence exerted by any book or author upon popular thinking, and while the danger always exists of ascribing too much influence rather than too little, it might, perhaps, be said with truth that the change of popular sentiment from favour to the Puritans and hostility to the Bishops, before the Armada, to a general loyalty to the Bishops and a distinct tendency, in 1603, to be suspicious of the radical Puritans, was due, in very considerable degree, to Bancroft and his writings. He was in many ways the legitimate predecessor of Hooker, and, although Hooker phrased the conception in full form for the use of future generations, it was Bancroft who brought home its significance to the Englishman of his time. His were almost the only documents issued by the defenders of the Establishment which were clearly and simply expressed. The Presbytery was, to his thinking, not only lacking in the support of the Scriptures, the approbation of the Fathers, and the weight of tradition, but it was impractical. It neither would nor could work. He descanted upon its faults as seen in Scotland, and at Geneva, and described at length the dissensions and bitter quarrels of its few adherents in England, and the general insufficiency of their government even to hold the sect together. His tracts did not count their pages in the hundreds, his Latin and Greek quotations were translated into vigorous Elizabethan English, his title page bore the imprimatur of the State, and he was announced as the Chaplain of the Lord Chancellor, who was the chief law officer of the realm. All these considerations served to spread his ideas widely where the learned controversial works of Whitgift and the bulky volumes of Dean Bridges were necessarily restricted to the few.

To have brought the theory out of the depths of scholastic disputes into the clear light of day, to have shown its relation to

current events which had been little understood was no mean achievement. But Bancroft did even more. He seems to have emphasised better than had Whitgift the importance of the Church as an institution, and the admirable character of Episcopacy as a form of government. He was keen enough to see that the true answer to the Puritans lay in the argument from expediency. "A very strange matter, if it were true, that Christ should erect a Form of Government for ruling of his Church to continue from his Departure out of the World until his coming again: and that the same should never be once thought of or put in practice for the space of 1500 years."[1] Was it likely that Clem, the tailor, Dick, the cobbler, and John, the farmer, would be better able to discern what sort of government the Church should have, than the learned of all past ages? "Neither can I see . . . why in these days, we should not attribute as much to the Decrees of our Learned Fathers in their lawful Assemblies, as other men in times past, of as great Judgment as we are of, have done. Is it not very absurd, that we should seek every way to discredit them in matters of lesser Importance who have most notably sealed unto us the very Grounds and Substance of Religion with their Blood: or is it likely, that that Church which was able to discern betwixt Truth and Falsehood in so great points of Doctrine . . . should be unable to judge of Ceremonies, Forms of Prayer, Decency, Order, Edification, and such like Circumstances of no greater weight."[2] The Puritan arguments would not only fall before the test of historical investigation applied by the learned, but before the test of commonsense applied by the ordinary man.

As Bancroft had used the results of Whitgift's labours, so Hooker availed himself of Bancroft's material. His long historical preface to the first four books of the *Ecclesiastical Polity*, in which he explains the origin of the Book of Discipline at Geneva, the attempts to put it in force in England, and the character and motives of the men who upheld it, was drawn from Bancroft's *Sermon*, and *Survey of the Pretended Holy Discipline*.[3]

Whitgift had outlined the idea that the form of church gov-

[1] Hickes, *Sermon*, p. 253.

[2] Bancroft's *Sermon*. Hickes, p. 274.

[3] The following references are to Hickes' edition of the *Sermon* and to the 7th Edition of Hooker's *Works* I. Hooker, p. 150 quotes text of Bancroft's sermon; Hooker p. 155, 156, practically quotes two or three striking paragraphs from Bancroft, p. 253; Hooker p. 149 and Bancroft

ernment was not definitely prescribed by the Scriptures, and that it might be altered from time to time, according to circumstances and places. He had refuted, as an academic proposition, the Puritan claim as to the divine origin of the government by pastors, elders, and deacons. Bancroft, while also maintaining that the theory was contrary to Scripture and to the Church Fathers, had spent most of his time demonstrating that it was impossible of execution. He had also gone far beyond Whitgift in maintaining that Episcopacy was, in itself, an honourable and worthy institution, sanctified by the approval of past ages, and proved adequate by the experience and testimony of thousands of able men. He had contended in fact that Episcopacy was not only permissible but desirable. But both Whitgift and Bancroft, and the lesser men who struggled after them, the Bilsons, the Bridges, the Sutcliffes, and even Saravia, had met the Puritan on his own ground. Where he had affirmed that the Presbytery was the form of government commanded by the Scriptures and the Fathers they had in the main denied that in those sources anything of the kind was contained.

Hooker now gave the champions of the Bishops new ground to stand on. He asserted that the Universe was governed by natural law to which everything must conform. "Obedience of creatures to the law of nature is the stay of the whole world." This law was to be ascertained by man's reason aided and guided by "all the sources of light and truth with which man finds himself encompassed." "The sentence that reason giveth concerning the goodness of those things that they are to do" is "the rule of voluntary agents upon earth." Of this law only a part is to be found in Scripture and "the authority of man, if we mark it, is the key which openeth the door of entrance into the knowledge of the Scripture." Here at last was a systematic statement, a foundation upon which the new idea could rest. Whitgift and Bancroft had

310, 311; Hooker p. 157 and Bancroft p. 262; Hooker p. 144, 145, and Bancroft p. 272, where both make the same point and both quote Greg. Nanzianzen. The resemblance in wording, however, is trivial compared to the similarity of ideas. Bancroft's *Sermon* was in print and famous some time before we know that Hooker's work was begun, and all of his books were published before the first of Hooker's. Moreover, the same ideas are in Bancroft's "Discourse on the Bill and Book" of 1585 which was never published and which was written before he could have known Hooker. It would have been most natural for them to have known each other, but we have no proof of any intercourse.

found it hard to meet the assertion that if Scripture was the Word of God, as they could not deny, it was necessarily a far better guide in any age than the thoughts of man. Nevertheless, they had proclaimed that the form of church government was to be regulated by expediency, and when the Puritans demanded a reason, they had no good one to give. This Hooker supplied by saying that the form of government and actions of men must be consonant to the law of nature, which *is* the law of God, and inasmuch as the exercise of man's reason through the ages increased his knowledge of this law of nature, so he must from time to time change the external forms of society to keep pace with his growth in understanding. Hooker did not propound a new theory of church government, but he gave systematic form and a firm and noble foundation to the theory which already had gained currency.

Moreover he put religion and the church into relation with the work of the Renaissance. He is typically a scholar of the sixteenth century in the immense sweep of his erudition and in the attempt he makes to harmonize all departments of learning and human activity with the theology of the Church of England. His work is at once theological, philosophical, and political. The Law of Nature came to him from classical times through the hands of the great publicists of the Middle Ages, especially from Ockham and Marsilio di Padova. In fact, the English Church possessed a political aspect and had most important relations with the King and with the temporal power and it was therefore essential that it be placed in harmonious relation with political theory and the conception of the State.

The second great aim of Hooker was to provide an irenicon for all religious parties which should be so reasonable, so logical, so linked to past experience and tradition, so consonant with Scripture and the Fathers, so harmoniously related to all learning, that every reasonable man, who honestly sought the truth, would be at once convinced. "My meaning," he wrote, "is not to provoke any but rather to satisfy all tender consciences." "Think not that ye read the words of one who bendeth himself as an adversary against the truth which ye have already embraced; but the words of one who desireth even to embrace together with you the self same truth, if it be the truth."[1] He was to provide a refuge for every one of

[1] Preface to the *Ecclesiastical Polity*, *Works*, I, 127.

all creeds, and thus all parties of the Church have claimed him as their own: Puritans have declared him a secret adherent of their tenets;[1] Anglicans, and Arminians quote his pages: Rationalists, Liberalists, political thinkers, democrats, all claim him as their grand prototype. James II even declared that Hooker had converted him to Romanism. Naturally these opposing tendencies produced in his work contradictions and inconsistencies. He could not give the Church an entirely firm basis in natural law interpreted only by the reason of the individual man, and leave intact the royal supremacy and its complete control of the Establishment. He could not conciliate the Calvinists without offending the Catholics and many of the English Churchmen. The legal connection of Church and State and his cherished idea of providing an irenicon for all parties were serious stumbling blocks in the path of consistency and the logical development of his ideas.

But there was one point where Bancroft and Hooker differed widely, and where Bancroft seems to have been in the right. Bancroft was certain that the differences between the Puritans and the Church were too fundamental to admit of a real compromise or to permit longer toleration.[2] Hooker was indeed convinced that the breach was deep. "It came to pass that one Church could not but accuse and condemn another of disobedience to the will of Christ in those things where manifest difference was between them. . . . [Further changes] although never so necessary, they could not easily now admit, without some fear of derogation from their credit: and therefore that which once they had done, they became forever after resolute to maintain."[3] He thoroughly believed that few men at the time understood the nature of the difficulty. "The matter wherein ye (the Puritans) think that ye see, and imagine that your ways are sincere, is of far deeper consideration than any one amongst five hundred of you conceiveth. Let the vulgar sort amongst you know, that there is not the least branch of the cause wherein they are so resolute, but to the trial of it a great deal more appertaineth than their conceit doth reach unto."

[1] J. Waddington in his *Congregational History*. (II, 108) claims that both Whitgift and Hooker favored that type of Church government. (Edition of London, 1874.)

[2] This is the whole burden of his sermon and his books. "They (the Puritans) were *in* the Church but they were not *of* the Church." (*Sermon*, Hickes, p. 255, cf. 254, 285.) He also suggested that the sectaries leave England.

[3] Preface to the *Ecclesiastical Polity*, *Works*, I, 130.

But when it came to the question of compromise or of union between these opposing sects, Hooker enthusiastically believed in its possibility. His *Ecclesiastical Polity* was the preparation of the English church settlement to unite all men under one common banner, to satisfy all tender consciences, so that none might be excluded from that great Church of the Living Christ which he would found upon the Law of Nature and the Reason of Man. Let all be reasonable, let all read the evidence of the Church Fathers with open minds, and unity must result. Bancroft declared, on the contrary, that the breach was too wide to be bridged by any irenicon, too deep to be closed by the yielding in this or that trifle, too fundamental to be removed by argument on the minor points about which the strife raged. He believed that the Puritans did not regard the sign of the cross in baptism and the kneeling at communion as matters indifferent, and that they would by no means yield to the Episcopalian view: that argument was only used to induce others to yield to their wishes, without any idea of being themselves convinced of the real truth. Their belief that the Book of Discipline was the only ecclesiastical government approved by Christ and the only one under which salvation could be certain, rested on deep inward conviction and was not to be shaken. Compromise was impossible because neither side would be satisfied with less than the complete establishment of its own tenets. In short, he realised that the Puritans were sincere in their beliefs and not merely ignorant or consciously blind to the truths set before them. Hooker, too, came to see this before he died, though he could never agree that all discord was not the fault of the Puritans. "But how sober and how sound soever our proceedings be in these causes; all is vaine which we doe to abate the errours of men, except their unruly affections be bridled. Selfe love, vaine-glory, impatience, pride, pertinancy, these are the bane of our peace. And these are not conquered or cast out, but by prayer. . . . We have used all other meanes and behold wee are frustrate, wee have laboured in vaine. . . . We have spoken and written enough of peace: there is no way left but this one; pray for the peace of Ierusalem." [1]

This opinion that the breach between the Church and its oppo-

[1] Richard Hooker, *Causes of the Continuance of these Contentions concerning Church Government.* (London (1641.)

nents was too deep to be crossed was one of Bancroft's fundamental beliefs, so firmly planted in him that nothing could shake it. On it, he based his policy towards the Puritans when he later became Bishop and Archbishop. He was certain that nothing could change the attitude of these men towards the Church and realised that there was therefore nothing left to do but to exclude them from its doors. So basic a belief is this and so much misunderstood that some exposition of its truth seems necessary and desirable.

However it came about, the two systems of theology held by Anglican [1] and Puritan took their rise in vastly different psychological attitudes toward the fundamental problems of theology—man, the universe, God,—and, differing in their premises, they necessarily reached opposite conclusions. Puritanism was an attempt to readjust man's relation to the Infinite, so that he might once more attain that perfect communion with the Father which the papal dispensation had rudely disturbed. The Puritan regarded God, the Father, as the primary and omnipotent source of all things, whose preëminence and perfection hopelessly sundered the Creator from the Created. God, the invisible, was necessarily separated from the visible world by a gulf impassable for finite beings, by a gulf as broad as the distance between divine perfection and human sinfulness. Here was the fundamental tenet of Puritanism and from it sprang a whole system of theology. Believing that God was infinitely separated from man whom He had created, the Puritan felt that the separation arose from the imperfection entailed upon man by the original sin of Adam, and believing, too, that before he could be saved, he must be cleansed of sin, he saw that as an earthly finite being he could never by his own efforts so free himself of earthly influences as to approach the divine standard of perfection. Yet God, by his grace, had sent to earth, Christ Jesus, and in Him, the Puritan found "the only and perfect mediator," by the union in whose person of the divine and the human, this gulf between God and man was bridged and that salvation made possible for man which he could not of himself attain. Hence, for his future bliss, the Puritan needed but faith in Christ; he could by his human "works" accomplish nothing; and he felt that

[1] This term has been contrasted (purely for convenience) with Puritan, and is not employed as, in any sense, the equivalent of Arminian. The attempt here is to define the basic idea underlying the thinking of all shades of opinion in both parties.

such attempts were an insult to God and to His eternal grace. Since, then, he could be saved only through Christ, and since Christ had been sent by God out of His divine goodness, the Puritan was saved by the grace of God alone. If, moreover, God might save, He might also condemn. By His omniscence He knew all the Elect from the beginning before the world was and, through His grace, had destined them for salvation. The rest he had also destined for damnation. The Puritan saw himself separated forever, by his human imperfections, from the divine bliss, but, although he hoped that God offered him through His Son salvation among the Elect, he feared that God, finding him unworthy, had condemned him to Hell. Which was his fate he did not know and the suspense tortured him. The Reformation had impressed upon the Puritan that none but himself could help him in his struggle with temptation; he alone was responsible for his conduct toward God and man; he was individually capable of assuming the burden and could not lay it upon the Church or accept any test of right and wrong prepared by any ecclesiastical body whatever as relieving his own conscience. The alternative was awful, but he must himself make his choice. Such a theology made man despondent, morbid, morose, introspective.

Practically, this belief belittled man, robbed him of his dignity, and reduced him to an humble instrument in the hand of God—a "vessel," "a reed shaken by the wind." God became a God of Righteousness alone, stern, exacting, but just. If man received the divine blessings, he must be loyal to the divine commands, and must freely obey that law which was to him the sum total of essential righteousness. He needed no free will to map out his life for himself, for an omniscient and omnipotent Deity had planned it for him, leaving him but the duty of following His guidance with a true filial attitude of the soul—cheerful, courageous, never questioning the justice of his Father's commands. Through such obedience he would become free from the original sin that bound him to earth, and free from all thoughts distracting him from a contemplation of the divine goodness. Yet, if man was thus degraded, he was at the same time exalted, for he was placed face to face with God. As his individual existence became all in all, his individual relation to God was possible and even clearer without an earthly mediator. He communed with the Deity in

contemplation and prayer, and from his inward thoughts, received strength and direction for his outward experience, feeling that the truest offering he might make was not any physical deed, but the holiness of the living temple of Christ in his heart. Thus without human assistance, he might realise his religious ideas. Indeed, between God and him, he wished but one mediator, Christ. Ceremony was, he now saw, unnecessary and even a hindrance to this spiritual communion, for he was himself a true priest of the Lord and in the outpourings of his heart to his Maker lay his best liturgy. Vestments and ceremonies, he thought, distracted his attention from the Divine, the Invisible, and the Perfect, to the transient, the visible, and the imperfect. He became, therefore, hostile to those sensuous forms which had grown up with Christian tradition. The one road to the Deity and mental peace was from within. The church service he so framed as to stimulate the contemplative communion of man with his Maker, and centered it therefore about the sermon and the prayer, as the appeals of an individual to his God. The minister did not in theory speak for the whole people. He found a repository, as it were, of the Divine Will in an inspired Book, the Bible, in which God had placed His directions for man's life here below, and in which He had revealed to man so much of His glory as a finite mind could comprehend. After searching the Scriptures diligently, the Puritan based his Church upon the individual man, on the congregation of the Elect and the Damned in the Visible Church, and believing that the minister derived from his calling no special grace, he assigned him no higher position toward God than that held by any other individual.

The Anglican belief, on the other hand, emphasised God as infinitely near to his children, infinitely loving, gracious, and kind. God and the world were in some mysterious way intermingled, the Visible with the Invisible, both being but two parts of the one reality in the mind of God. Man saw the visible world and lived in it. Yet just outside the realm opened to him by his perceptions, he felt, he knew not how, that there lay this second world of the invisible, whose boundaries he did not know, whose limits and possibilities he could not understand. Though he could not see the points of contact, the Anglican believed that the material and spiritual worlds touched. Instead, therefore, of perceiving an infinite

abyss between God and man, he felt the mysterious presence of God everywhere about him, and believed that God was immanent *in* the world and not merely an external force. Far from thinking that God had so ordered it that man's efforts were unavailing to change his fate, he was convinced that his own deeds would settle his future and that, even if he were one of the Elect, he might fall from grace temporarily or permanently, and, if he were one of the damned, he might reform and be saved. By this theology, man was lifted from his abject position and placed upon his feet, attaining a new dignity, seeing in his actions a greater value, feeling a joy in his very existence, and an exaltation in contemplating the mysterious relation between God and himself.

As the basic belief of the Puritan shaped his service, the Anglican symbolized in ceremony this mysterious union of the Invisible and the Visible, this link between God and man. By these outward ceremonies his inner nature was stirred to worship the Inscrutable God, to ponder upon His goodness, His work, and His gifts to men. Instead of the transition, as the Puritans thought, from within outward, the Anglican's thoughts were from without inward, from the material realm about him, through the tie of ceremony, to the mystic spiritual world beyond. Hence, the proper performance of the rites became important though not essential, and to that end a priesthood, a ritual, and the observance of uniformity were useful. Since his system of thought gave man a position of such dignity and importance, the Anglican was able to supplement the Bible with the past experience and tradition of the Catholic Church, and after looking into the evidence of history, he concluded that there might be different church governments at different times and places. He could then believe that the government of the time might in order to preserve decency, decide "in matters of indifference" what ceremonies the individual should observe, and could agree that the state, which might thus decide, should control the church. In these practical applications the Anglican collided with the Puritan's belief that there could be at any one time or place but one divine government; that the Bible alone should decide what ceremonies should or should not be observed; and that the state might in no case interfere with the "Bride of Christ." The Anglican asserted, with the Puritan, the right and duty of private judgment, but he respected authority; he appealed to Scripture

but recognised the living voice of the Church; where the Puritan would retain only those ceremonies which the Bible expressly ordered, the Anglican would keep all rites that the Holy Writ did not expressly forbid. The center of the Anglican service thus became the sacraments rather than the sermon. The Eucharist most clearly expressed the mystical union of the Visible and the Invisible, the body and the spirit. The ritual appealed not to his intellect alone but also to his emotions, and to his sense of reverence and awe. The more dignified position he assigned to man and the greater concomitant weight he gave to tradition, moved him to preserve many forms of worship which lent to the service dignity and aesthetic charm. The essence of his service was holiness and devotion to a personal God.

Anglicanism was thus an attempt to harmonize Puritanism with reason and the natural common sense of man. While in truth logical, Puritanism possessed no historical continuity, for in attempting to overturn certain traditions, it rejected the unity of history and came to believe that, from the invasion of the barbarians to Luther's protest, the light of the world had been quenched. The Puritan voluntarily disregarded all experience and tradition and attempted to start afresh. From this attitude the Anglican revolted. To him tradition was not to be cast aside without inquiry, to him, the Church should possess continuity and the power to alter its own ceremonies if it found them inexpedient. Anglicanism upheld to the world the fact that all true development must of necessity be based upon the past.

By the Puritan theology, man had been humbled before God, had been degraded in dignity and in the worth of his personal efforts. By Anglicanism, he was placed once more upon his feet in the world, to enjoy its beauties without feeling that they hindered the purity of his relation with God. Anglicanism thus typified the Renaissance impulse for freedom and was in part the religious expression of the great outburst of Elizabethan literature and its delight in man as man, in nature for itself, in beauty as an intangible something giving a pure and holy joy consistent with man's most sacred feelings. While Puritanism had centered about the strivings of a single soul to justify himself with God, and had revolted against the Roman ideal that the secluded monastic life was holier than a life in the world, the Puritan, once he had

come into the world, stood aloof from it, alone with God. The Anglican would, on the other hand, live in the world and would rest his consciousness of security on the mystical sympathy of the whole community, eager to regain the solidarity and the collective life of men which the extreme individualism of the Puritan threatened.

Puritan and Anglican then, were sundered by vastly differing conceptions of God, of the universe, of the Church, and of man's relations to God and to his fellow beings. From these fundamental beliefs came as corollaries their attitudes toward the ceremonies and toward church government. Whether or not the sign of the cross should be used in baptism was not in itself important, but whether or not the Bible was, as the Puritan insisted, a record of everything man might do, was of momentous consequence. While the preaching of sermons was recognised by the Anglican as worthy and necessary, to the Puritan it was indispensable, for about the sermon centered his whole service. Presbyterianism or Episcopacy was a far less significant issue than the flat disagreement of the two parties as to whether or not God had ordained one form of church government and one only by which His church should be directed. Before they could agree as to what that government was, they must decide whether or not only one government was permitted. In fact, the ceremonies were only the symbols and the outward expressions of these inner beliefs. As such, however, they became the most convenient party badges of unity and loyalty, for, being public and easily distinguishable, a man's standing and creed were thus made clear to all beholders. When the Puritan believed that he insulted God by kneeling at prayer or at communion, that in wearing the surplice he polluted himself with the infamous rags of popery, these outward observances became profoundly important to him, not because they were in themselves of moment, but because he understood, and was conscious that every one else understood, that their use connoted beliefs and ideas which were in themselves fundamental. They were important, as symbols, as party badges, as public professions of adhesion to a given belief which lay at the very bottom of each man's religious consciousness.

With this attitude blended not a little of that desire to testify openly for Christ, as the Bible directed, and to the Puritan mind the simplest and most natural testimony lay in the omission of

these outward forms. The morbid introspection of the men of that age, terrified at the responsibility thrust upon them of controlling their own salvation, led them to feel that this was the test mentioned by Christ when He declared that those who denied Him before men, He would deny before the Father. To use the ring in marriage, or the sign of the cross in baptism, to wear the surplice or to kneel at communion, was to the Puritans a refusal to acknowledge before men the Christ they recognised in their own hearts and to live in perpetual dread that on that last fearsome day of Judgment they would hear Him say, I never knew you. The omission of these ceremonies was not less significant to an Anglican and caused him no less alarm and, until we grasp the full meaning of this situation, we shall be far from comprehending the nature of the issues between the two parties.

This fundamental cleavage was accentuated by the great sanction of all medieval intellectual life, the corporate responsibility of the Church for the souls of men. Neither side could conceive of their being more than one church, both were convinced that there was only one truth, and each was certain that he himself possessed it. That a fundamental difference of interpretation separated them, they could not or would not understand. The common heritage both derived from the past tended to obscure the cleavage: both looked to Christ as the central figure of their theology; both rested the case upon the Scriptures and upon the Church Fathers; both had in common the experience of the medieval Church and the belief in a Universal Church which should celebrate the same ceremonies, with the same rites and ritual, in every quarter of the world. And yet these very sanctions which concealed the breach tended to widen it. So long as neither could conceive its own fallibility or deficiency in learning, there could be no compromise. So long as both agreed that there could be but one true religion, no irenicon would be possible until they could impartially investigate the question as to what that religion was without regard to their own present beliefs. So long as each treated the other as fundamentally and irrecoverably wrong, and so long as each belittled the other's attitude into a factious, unreasoning opposition to the truth, both must fail to see the distance that really sundered them. These "divisions and contentions," wrote Hooker, "might have easily been prevented, if the orders which each church

did think fit and convenient for itself, had not been so peremptorily established under that high commanding form, which tendered them unto the people as things everlastingly required by the law of that Lord of Hosts against whose statutes there is no exception to be taken. For by this mean it came to pass that one Church could not but accuse and condemn another of disobedience to the will of Christ."[1]

The condition of classical scholarship in Western Europe deeply influenced the dispute and went far to widen the breach and to render it impassible. The Reformation in Germany had been originally rather an appeal to history than to Scripture, for although the evils of the Papal See had been long notorious, no revolution came until the study of classical antiquity and the revival of the knowledge of the tongues in which the early literature of the Church was written, revealed the fact that the Church had departed from its pristine purity beyond the point which natural divergence and ordinary administrative difficulty could explain. The leaders then invoked the testimony of the Bible and urged every one to read it, not so much because it was the infallible Word of God as because it was a record which clearly revealed the difference between the Church as it had been and as the Papacy claimed it was, between the Church of St. Peter and that of his successor. The Scriptures and the Fathers were at first only the measure of the distance the Papacy had fallen.

But when the negative work against Rome was well under way, the reformers began to realise the necessity of some organisation, and of taking some positive and affirmative stand. Obviously the thing to do, in Calvin's mind, (and his influence became strong over all Europe outside of Germany) was to restore the church of primitive Christianity. But what was this primitive church? No one knew and so all started to read with avidity the Scriptures and the Fathers to discover what form of church and what manner of doctrine Christ had really instituted. Two influences seriously affected this work and made disagreement almost inevitable. In the first place, neither the leaders nor their adherents were equipped with sufficient classical learning to read with more than approximate accuracy what the old texts said. But everyone was eager to read and to judge, and every man who possessed the most super-

[1] Hooker's *Works*, 7th Edition, I,130.

ficial acquaintance with the classic tongues felt himself fully able to approach the most abstruse theological matters couched in the most difficult Greek.[1] They thus failed to understand what was really in the document before them and were above all far too ready to attach an exaggerated importance and value to any chance fragment or sentence they unearthed in some little known writer. There was naturally enough no critical use of the sources: spurious texts and medieval Latin editions and glosses were regarded as genuine and authoritative; interpolations went undetected and received the full credit due to the original; authors were antedated and manuscripts accredited to men who never could have written them. Everything which could claim acquaintance with the first four centuries of the Christian era was regarded as pregnant evidence. This lack of scholarship, this uncritical attitude coupled to the complete readiness to believe that whatever was proved to be old was of necessity true, produced a most extraordinary crop of statements from the first reformers. "Our theological disputes," wrote Scaliger, the greatest scholar of his age, "all arise from ignorance of grammar." [2]

For some little time, too, there was no general realisation of the fact that the early Apostles and Fathers differed from each other.[3] This explains in large measure the inability of the early controversialists to understand how an opponent could reject the testi-

[1] Of this Bancroft was well aware. "It falleth not within the Compass of every Man's Understanding to determine and Judge in matters of Religion, but of those who are well experienced and exercised in them. . . . Only the knowledge of the Scriptures is that which every man challengeth to be skilful in. Learned and Unlearned they take upon them to write." (*Sermon*, Hickes. p. 272.) "Marry now, two or three years study is as good as twenty. It is wonderful to see, how some men get perfection. . . . Yet in very deed, they are so earnest and fierce that either we must believe them or account their Boldness to be, as it is, most intollerable." (*Sermon*, Hickes. p. 283.) It was, however, not a new point, being a favorite comment of the more conservative reformers. See Roger Edgworth's Sermons, f. 31; *The Assertion and defence of the Sacrament of the Altar.* (1546) f. 3: and John Standish's *A Discourse wherein is debated whether it be expedient that the Scripture should be in English for all men to read that wyll.* (1555)

[2] Scaligerana, 1, a, p. 86. Quoted in Pattison's *Casaubon*, 392, Paulo Sarpi, the great Catholic, wrote to Casaubon. "Who wishes to be taught by the fathers, should first learn from them, how much weight properly attaches to their words. . . . You meet with absurdities on this subject among your friends as well as among ours, and I would not have you lose any temper thereat. As long as there are men there will be fanaticisms."

[3] "Besides we say, that the Fathers do in many points dissent among themselves." Bancroft, *Sermon.* 269.

mony of one of the early Fathers and set up in defence the equally plain statements of some other early Christian author. Men even went so far as to charge each other with manufacturing evidence and with intentional misquotation. Quotations which Augustine or Origen had made from other writers, perhaps for purpose of refutation, were cited without recognition of that fact as good evidence of the Father's own attitude. Even by the end of the century, the leaven of scholarship begun by Erasmus had produced little effect in deepening the general spirit of critical research, though it had enormously increased the number of those who boasted some knowledge of the humanities. Yet, on the whole, the rank and file were quite as unfitted to use the results of the labours of the literary giants as they had been early in the sixteenth century. They were also as unwilling to accept the authority of experts as to the correct reading of some difficult passage as they were to quote that of the Pope and Councils. Even in the early seventeenth century, such great lights as Scaliger and Casaubon, Pacius and Lipsius stood practically alone, and were more revered than followed by the theologians. If this was the condition of affairs on the Continent, how much more was it true in England, where the level of classical scholarship and of the critical spirit was by no means as high as it was along the Rhine and the Seine.

In addition to the lack of critical appreciation of the documents they were studying, the preconceived ideas of the leaders as to what should be found or as to what they had themselves found, strongly directed the tide of ecclesiastical research in one or the other direction. The leaders had been compelled to come forward almost at once with a series of statements upon doctrine and ceremony,[1] and having thus "engaged their credit" as the phrase of the day went, they were extremely anxious to maintain their reputation by demonstrating the truth or expediency of their original conclusions. This fact, coupled with the determination to discover at least something different from the papal theory,[2] and the tendency

[1] "We are forced, through the vain bruits of the lying papists, to give up a confession of our own faith, to shew forth the sum of that doctrine which we profess, and to declare that we dissent not amongst ourselves." Sandys to Parker, *Parker Correspondence*, (Parker Society) 66, April, 1555.

[2] Whitgift complained that one of Cartwright's main contentions was "that we must not in any wise or upon any consideration retain in the Church anything that hath been abused under the Pope." *Defence of the Answer,*" preface.

to believe that the first thing found, and the first notion of it conceived, were unalterably correct, tended to perpetuate any errors made. In fact, theological controversy both on the Continent and in England soon lost its early character of a search for truth at any cost, and became a defence of what had already been set forth. While all the reformers had eagerly encouraged the reading of the Scriptures as long as the study seemed to hasten the downfall of Rome in the public eye, they soon began to discountenance "undue curiosity" and "unholy prying" into the mysteries when their own conclusions seemed threatened. Of course the great majority of those who pretended to search were not qualified to do more than find what they had already been assured was there. The Catholics perforce followed Baronius, Bellarmine, and Parsons: the English churchmen and bishops accepted Whitgift, Bancroft, or Hooker; and the Puritans in England and Calvinists generally looked to the writings of Calvin, Travers, and Cartwright as their oracles.[1] Nevertheless, the unanimity of opinion within the party was universally believed by the rank and file to proceed from the concurrence of so many learned opinions and few seem to have realised that in truth they held the same views because all acceded to the theories of some few men of their own party, who disagreed with each other in private and not in public.[2] Malcontents appeared in the ranks of every party and were promptly ejected by all. Of course it always has been, and always will be, true that the great majority of men must take their opinions from the few who are learned, but there have been few crises of equal importance in the world's history, when public opinion has been swayed by so few men as at the close of the sixteenth century.

While all these phenomena appeared in England as in the rest of Europe, England had the good fortune to undertake its final reformation forty years after the Lutheran revolt and nearly twenty years after the establishment of Calvinistic government at Geneva. Great aid was derived from what seemed to be, at the time, a serious detriment—the unwillingness of Elizabeth to allow any formulation of doctrine or ritual except of the most negative sort.

[1] Of this Bancroft was also aware. He wrote to Cartwright: "I am bound to cleare that point which I preached: and the rather because so many gleaning after you, (as he professeth) I do see what mescheefe may ensue thereof." Additional MSS. 32092, f. 123-5.

[2] See the letters in Usher's *Presbyterian Movement*, 81, 95.

The Church was made Protestant, but became legally neither Lutheran nor Calvinistic. By this unintentional delay, the formularies remained elastic until a school of men equipped with more considerable learning could search the Scriptures and Fathers with more conservatism and in a more scientific spirit. Much as Whitgift and Hooker accomplished, their work was in many ways inaccurate enough, although vastly superior to that of the half-tutored Puritans who essayed to solve the most difficult problems of patristic learning without any considerable classical training.

But the most remarkable tribute which can be paid to the scientific spirit of the English theologians of Bancroft's day is the fact that Casaubon, one of the most learned classicists in Europe, had conducted, for his own peace of mind, a long and independent study of the Fathers and the Scriptures and came to conclusions at which Bancroft and Hooker had already arrived. "You must not suppose," he wrote from London to Saumaise, "that this people is a barbarous people. . . . If I am not mistaken, the soundest part of the whole reformation is to be found here in England, where the study of antiquity flourishes together with zeal for the truth." [1]

It is perhaps sufficiently clear that the cleavage of religious parties in England at the close of the sixteenth century was the result of deep fundamental causes and not the product of slight misunderstandings between men who agreed in all essentials. In that age moreover to believe was to act. "When the minds of men," wrote Hooker, "are once erroneously persuaded that it is the will of God to have these things done which they fancy, their opinions are as thorns in their sides never suffering them to take rest till they have brought their speculations into practice." [2] The breach had been produced by the action and interaction of three principal causes, accompanied by that multitude of intermingling events and ideas that are always needed to bring about a great crisis. In the first place, the parties based their theologies on totally different ideas of God and His relations to man and to the universe and could not fail to come to the most diverse conclusions. The points over which they disputed were not indifferent matters, for they contained the essence of the whole theory,

[1] Pattison's *Casaubon*, 291, and 270. On arriving in England Casaubon found "a whole national Church encamped on the ground on which he had believed himself to be an isolated adventurer."

[2] Preface to the *Ecclesiastical Polity*, *Works*, 7th Edition, I, 189.

though their apparent lack of importance did serve to conceal the existence of a wide divergence of ideas. Then came the old medieval sanctions to convince each party even more firmly that its views were infallibly right, and that its chief duty lay in forcing the whole world to acknowledge the superiority of its tenets. Finally all opportunity to correct this impression was prevented by the want of sufficient knowledge of the ancient languages and by the lack of a critical spirit by which a study of antiquity could have been prosecuted which might have had definite results.

CHAPTER V

THE HIGH COMMISSION

In 1558, Thomas Sampson, one of the English Protestants who had just returned from exile on the Continent, wrote to his friend, Peter Martyr, that he felt sure he ought not to accept a bishopric, "because through the want of Church discipline, the Bishop, or pastor, is unable properly to discharge his office."[1] The bishop, clad in the panoply of ecclesiastical state, still represented to the untutored mind that almost boundless power on earth and in heaven which the medieval traditions had assigned him. He still imaged forth the sternness of the old days when the mitre ill concealed the mailed cap of the feudal lord, and the crozier might be quickly exchanged for a battle-axe, when the old-time bishop had been a temporal lord endowed with wide acres and a great retinue. But the keen eye of Sampson had penetrated this thin shell of apparent episcopal power. The Reformation had taken from the bishop not only the keys of St. Peter, but also his temporal lordship, and, despite the clinging of the old tradition, had made him, to all intents and purposes, purely an ecclesiastic. It had done more. "Through the want of Church discipline, the Bishop, or pastor, is unable properly to discharge his office." Yet, this change, so important and so far removed from what might have been expected to be the results of the abolition of the papal headship, had come about gradually, indirectly, unexpectedly, without the assistance or connivance of any bishop or statesman. Indeed, had Cromwell or his royal master fully appreciated, at the moment of taking the decisive step of the Reformation, the consequences which would result to the Church within two generations, they might well have hesitated to draw upon the institution such evils as were apparent to the meanest ecclesiastic in the year 1603. In this situation lay both the embryo of the High Commission and the

[1] Dec. 17, 1558. *Zurich Letters, 2nd Series*, 1, 2.

food which nourished it into life and strength. From the malady itself proceeded the remedy.

The keystone of the structure of the pre-reformation Church[1] had been the control exercised by the higher clergy over the personnel of their subordinates. Each rank of the hierarchy had possessed, in theory at least, absolute discretion in the appointment of the rank next below it, and was, therefore, expected to present to office capable and obedient men, imbued with the spirit of ecclesiastical service, who would not only understand the functions which they were to perform, but would execute them regularly and adequately without compulsion. From the spirit of conformity came the conviction that all the clergy must believe, think, and act in essentially the same way, and obviously, the best means of securing uniformity in the clerical state, was to induct no one into office who did not fulfil the requirements. So long as the proper men were members of the hierarchy, the institution could not help working as well as the medieval mind could wish, accustomed, as it was, to a rather slow, uncertain, and halting pace in administrative matters. Man was human, filled with original sin, and was not expected, least of all in the Middle Ages, to be perfect; experience had shown, moreover, that the result desired did, on the whole, follow if the incapable were ejected promptly and better men substituted. Up to a certain point, of course, the incumbent was to be terrified into obedience by ecclesiastical penalties and by the dread of excommunication, but when it became perfectly clear that the priest was unfit, the medieval bishop had no hesitation in depriving him. The whole system depended either upon the willingness of the clergy in office to perform their duties, whether upon their own initiative or from the fear of penalties in the next world, or upon the substitution of a good man for every one found to be bad,

[1] The only account worth mentioning of the administrative structure of the English Church, before or during the Reformation, is F. Makower, *The Constitutional History and Constitution of the Church of England*, (London, 1895). Though a work of scholarship and great learning, the brevity of the text is not remedied by the voluminous foot-notes; and the tendency of the author to treat Lindwood and the Canons as containing the whole truth, has led him into statements which are not quite valid. The theory was one thing, but the practice was often quite another. Of this side, Herr Makower has taken very little account; nevertheless, there is no subject upon which it is so difficult to secure trustworthy information, and upon which it is so hard to generalize as upon administrative history.

or incompetent. Constant supervision was provided for; the archdeacon was to visit his district at short intervals to correct the clergy and punish the laity; the bishop was to visit the diocese to discover the archdeacon's blunders; and the archbishop, in his metropolitan visitation, was to institute a search for episcopal shortcomings. Here again, each rank was expected to censure or deprive its inferiors. There was no thought of coercing into obedience a priest who stubbornly refused to conform, or a bishop who persistently failed to attain the standard set by his archbishop. Both were removed and better men substituted by means of that supreme control which the Church rightly exercised over its own personnel. Visitations and judicial proceedings were used to punish offences, not to perform the ordinary administration of the Church. Crime was in theory exceptional, and so likewise was the means for correcting it. When there was, at unusual times, a need for extraordinary power and procedure, a legate from Rome, or the Pope himself, furnished what was necessary; and even the English Church, little as it regarded the Pope and lightly as his pretensions sat upon it, nevertheless had regularly sought and received aid from the Curia in most administrative problems of any difficulty.

Technically and outwardly, the old organisation was not at all changed by the Reformation. Henry VIII wished everything to continue as before minus the Pope, but, inevitably, certain unwelcome facts began to make themselves felt by the bishops. The abolition of the papal headship removed that residual power, that extraordinary and discretionary supply of unlimited ecclesiastical force, which the Papacy furnished, and forced the English Church to have recourse to the local organisation which had existed during the Middle Ages. As has been hinted, the traditions of bishops and archbishops all concerned the rather obvious and simple problems of every-day administration when all went well, or when a small penalty would procure obedience from the refractory. Great problems had not been theirs to handle, and their officers had not received from their predecessors any traditions or forms for dealing with them. But Pope and legates, who had dealt with such cases, were gone forever, and the new problems which the bishops found mounting higher and higher, were unexpected. In fact, the decade following the divorce of Catherine of Aragon had caused

so many changes that the commonest questions of ecclesiastical administration wore an entirely new aspect. All problems had suddenly become extraordinary and all means of dealing with them seemed commonplace and inadequate.

In addition, the Papacy had, through the fourteenth and fifteenth centuries, been busily at work trying to centralise the administration of the Church and to deprive the bishops of all discretionary authority. The Council of Constance of 1414 had voiced strongly the episcopal protest against such encroachment, and the Council of Basel had raised an even greater outcry. While in England probably the Pope had compassed less than he had elsewhere, the tendency had, nevertheless, been towards a diminution of episcopal authority, which the commanding personality, prestige and great authority of Wolsey had done much to increase. The English clergy had become used to doing even ordinary things in an unusual way, and from tradition regarded their own episcopal authority as rather inadequate.

Then the Reformation broke the back of the great weapon with which the Church had subdued emperors and princes, barbarians and heathen. Excommunication, possessing very real terrors for the medieval man of any rank in life, had been an effectual weapon until abuse had drawn upon it obloquy and scorn. The tendency of the fifteenth century to disregard excommunication was carried on by the Reformation so as to annihilate altogether in the Protestant breast the old fears of bell, book, and candle. When the power of the keys was abolished, the existence of purgatory doubted, and the efficacy of masses for the dead repudiated, the curse of the Church had lost its meaning. So far as the medieval Church had had coercive power, so far as it had attempted to use any, it had been conceded that excommunication was the limit of its power, was the final sanction which it might use. The Reformation, thus, while it left the old local organisation unchanged, and while it presented new problems of a type which the organisation was not only unfitted to solve but unaccustomed to consider at all, took from it the only instrument of coercion by which it might have forced respect for its authority.

Next, the new alterations nearly shook the keystone of the old structure from its position; the great prerequisite of the old Church had been that the fitness of the man inducted into office should be

determined by the bishop without local restraint, and now the higher clergy lost this complete control over the personnel of the lower ranks. The estates that were distributed to the laity on the dissolution of the monasteries, and those that were retained by the Crown, had attached to them by past usage the right which the monks had exercised of presenting a clergyman to some particular benefice. Statutes recognised the legality of this lay control of the advowson, and the courts soon gave it the status of saleable property which might be legally transferred or bequeathed. It was, therefore, a layman and not an ecclesiastic who chose the new incumbent, whom the bishop was forced to induct unless he fell very far short of the minimum requirements. In 1604, a committee of bishops, sitting to consider the best means for improving the welfare of the Church, declared that five-sixths of all the benefices of the realm were controlled by the laity. If we include the Crown among the laity,—a most important addition—the statement was very likely true, and since, in general, and so far as we have means of corroborating them, the statements of the bishops prove to be correct, we may accept this without more than temporary hesitation. Certainly there can be no doubt whatever that in certain districts the laity alone controlled five-sixths of all the benefices, leaving to the Crown and the Church only one-sixth.[1] While, of course, proportions varied greatly over England, it is pretty clear that, on the whole, the laity alone controlled in most dioceses from fifty per cent. to eighty per cent. of the benefices, and that over the realm as a whole, they held about sixty per cent., though in the Province of Canterbury the figure ought to reach about sixty-five per cent. or seventy per cent. The South and East and West were in the grip of the laity, and there was no place where the clergy were in the ascendant. Where the laity did not preponderate, it was the Crown and not the clergy that held the balance of power.

Having thus delivered the administration of the Church and the personnel of its clergy into the hands of laymen, the Reformation

[1] While a point of great difficulty, it may be said with some safety, that the rights of presentation were *not* ordinarily joined to the impropriations of the revenues of the benefice, and were much more numerous than the latter. Such lay ownership of an advowson had not been unknown in the Middle Ages, though probably no considerable number of benefices were so controlled. For detailed evidence on these points, see the tables at the end of the chapter.

proceeded yet another step and took away from the bishops, themselves the nominees of the State, their power of deciding upon the qualifications for the ministry. The connection of Church and State, made close through the assumption of the headship of the Church by Henry VIII, rendered every topic of religion or of ecclesiastical administration, a problem of State, tinged every political issue with a religious hue, and caused many to feel, especially after Elizabeth had reinstated Protestantism, that the State stood or fell by the fate of the Church. The Church had, in fact, become part of the State, and the acceptance of its creeds and dogmas, and still more, public obedience to its ceremonies and form of government, had become the legal test of political loyalty. Elizabeth, as the daughter of Anne Boleyn, was from necessity a Protestant, and was, at the very least, unable to make terms with the See of Rome. To renounce Protestantism in 1560 was, therefore to deny Elizabeth's legitimacy and her right to rule—offences which were soon erected by Parliament into treason. England was in a ferment; fanatical Calvinists from Geneva, visionaries from Frankfort and Holland, had hurried home hoping for preferment, and the most moderate had been given bishopries; but the clergy were, in the main, the old priests of Henry VIII, who had most of them turned their coats for the second or third time. They could not be ejected in a body, for eight or nine thousand clergymen of any stamp were not to be found at once to take their places, and those men who did present themselves for ordination represented all grades of opinion and all shades of nonconformity. It was too important, so Elizabeth felt, to have the administration of the Church performed in some manner, to haggle and dispute over minor matters of ecclesiastical qualification, and hence she instructed the bishops to admit men who would take the oath of supremacy, and agree to read the new service book, without pushing too deeply into their other ideas. Indeed, ecclesiastical perfection was looked at rather askance, for fear that the vestments of the Protestant, whether bishop or parish priest, might conceal in their ample folds the robes of the Scarlet Woman.

For the first few years of the reign, such an opportunist policy was imperative, but it was gradually erected into a tradition against which the Bishops struggled in vain, and which all sorts of men, discontented with the Church, found exceedingly service-

able for their own private purposes. Catholic and Puritan gentry presented men of their own ways of thinking and pushed them through the reluctant bishop's hands, on the score of political expediency and necessity, obtaining, if he refused, direct orders from London. All sorts of motives of greed and covetousness were nourished from the same source. That it was entirely unwise, not to say dangerous, during the political crisis, to allow any gentry otherwise disposed to accept her rule, to become discontented with church government, had been raised by Elizabeth to the rank of an axiom. Thus were the unfit introduced into the Church and maintained there, despite the bishops. The clergy had lost not only the right to appoint the men they were expected to govern, but the prerogative of determining what sort of men were needed in the Church. Instead of being a function involving discretion in the highest degree, on whose careful exercise rested the welfare of the Church, the induction of candidates into office had become a ministerial duty by which the bishops merely registered a decision already made elsewhere. It was, however, inevitable, in view of the circumstances, that the adjudication of that important matter should be governed not by consideration for the administrative needs of the Church, but by the political situation at the moment, by local politics, by family influence, and by individual greed and selfishness. Yet upon the correctness of that decision depended the life of the Church as an institution.

An ignorant and nonconforming clergy were, in this way, foisted upon the Church, and what was worse, maintained there, so that the bishops were required to force them into some slight degree of obedience by the best use they could make of the old ecclesiastical organisation. Probably no blunter weapon was ever tried where there was such dire need of a sharp edge. Under the old régime, the exigency of having to force unfit men to perform the duties of the Establishment had not even been dreamed of, for the fabric had been based upon the clerical control of its own personnel and had trusted to the putting of fit men into office, rather than to making use of any men who were inducted. If worst came to worst, he was removed, and another put in his place. But this process had become impossible, both because the bishops no longer decided with anything approaching finality who should and who should not be priests, and because the State, biassed by fears for

its own safety, refused to allow them to winnow the wheat from the chaff by the old-time expedient of ejection. Nothing, however, could have been worse adapted for this task than the old methods of visitation which Elizabeth, for at least twenty years, so fondly believed all sufficient for the ecclesiastical needs, that she attributed the bad results to the failure of the bishops to use this most excellent instrument.[1] Yet, in reality, a visitation was little more than the power of inquiry. Each archdeacon sent around his district certain officials who asked questions of the churchwardens and sidesmen, and the answers they received served as a basis for proceedings against the delinquents in the ecclesiastical court. Naturally, the results of such an inquiry depended wholly upon the energy, experience, and astuteness of the visitors, and upon the truthfulness, intelligence, and willingness of the parish officers. Even the most sanguine of men could not expect the latter to present their own faults, nor believe that the archdeacon and his officials would eagerly lay bare their own shortcomings to the bishop's scrutiny when he visited the diocese as a whole. So long as no particular motive existed for concealment—and during the Middle Ages, these had been few or rare,—all would be well; but when the Puritans, Catholics, and Nonconformists were to be depended upon to give correct replies regarding their own delinquencies of which they must then have been conscious, even if their disobedience had resulted rather from ignorance than from intention, the responses were sure to be vague and evasive. When he had received these replies the archdeacon or bishop had come to the end of his constitutional or legal means for tracing disorder and for compelling the disclosure of nonconformity. He might, indeed, legally act upon a private complaint, upon the reports of spies, or upon "suspicion" or "rumor," but he had still to prove the delinquent guilty. If, after being censured, the man still disobeyed, there was nothing to do but censure him again, and as a final result deprive him. But the visitation being only a method of

[1] The Privy Council to the Archbishop, Nov. 6, 1569. The condition of the Church is bad, "yet certainly we find no one cause hereof greater nor more manifest, than an universal oversight and negligence (for less we cannot term it) of the bishops of the realm, who have not only peculiar possessions, to find, provide and maintain officers but have also jurisdiction over all inferior ministers, pastors, and curates, by them to enquire or be informed of these manner of contempts and disorders, and by teaching and correction to reform them." Cardwell's *Annals*, I, 352.

inquiry, did not increase one whit the bishop's ordinary powers to coerce any one into specific performance of his duty, even if he could prove him to be a Nonconformist.

Still, the inherent weakness of the visitation lay less in its lack of power than in its unusual and extraordinary character. It took place only at intervals, and was prosecuted by a committee possessed only of temporary authority, without place in the regular administration of the See, and ordinarily without power in itself to correct the abuses it revealed. No constant supervision, much less coercion, could be undertaken by a body of officials without permanent tenure of office. Furthermore, if the object in view was the constant supervision of the archdeacon by the bishop, or of the clergy by the archdeacon, a visitation was the worst possible means of attaining such an object, for each rank of the hierarchy began its inspection by suspending the ordinary officials. During its course, they had no authority, no duties, and no responsibilities, and instead of watching them perform their work, the visitor attempted to learn from a cursory inspection of the work itself, what their conduct had been. The direct jurisdiction of the bishop or archbishop could indeed temporarily replace the whole archidiaconal or episcopal jurisdiction, but it could not exist side by side with them, nor could it assume a permanent supervisorship of either. Each might investigate, censure, reprove, or deprive, but he could not specifically correct. He might chasten, but he could not chastise.

As was true of the whole administrative problem in 1590, the bishops were attempting to secure a certain end by means of an instrument which had been created for an entirely different purpose. Between the days when the form of visitations had been perfected and the accession of Elizabeth, a vast change had taken place in the attitude of men towards the central authority. The medieval man had been impatient of control, particularly disliking anything that approached constant supervision. He was exceedingly chary of allowing the central authority to get into its hands a coercive force for use in ordinary, everyday affairs. It and its powers were for exigencies only. Nothing less than the anarchy and ineffective administration of the fifteenth century could have converted him to the idea of placing a strong coercive force in the hands of the central government, which was to use it to whip into

line the unruly, the lazy, and the wilful, who would not obey of their own free will. This was the meaning of the Tudor Government, and this the men of the time expected from the Tudor Church. But they placed in the bishop's hands nothing but the old medieval weapons, constructed in a day of loose government, when it was considered amply sufficient if the bishop appeared occasionally and did not allow things to become very bad. The ideal of what good government meant, and what was connoted by the phrase "good administration" had undergone a vast change. In the old days conformity had been upheld by the pressure of the small local group to which a man belonged, and good administration meant that the central government should interfere with that group very little. But as these groups had lost their power of securing obedience they begun to clamour to have the central government enforce for them those sanctions which they could themselves no longer make effective. This, then, was what the sixteenth century meant by good administration: the constant pressure of the Crown upon the local organisation, constant supervision coupled to a powerful coercive force, discretionary and untrammelled in the hands of the sovereign and his advisers. The medieval man had, on the whole, been satisfied when the government worked at all: the man of the sixteenth century wished the government to work well, though he had not yet learned how to accomplish his object. How a good administration might be attained was the great end every public man in England was seeking with might and main throughout the sixteenth century.

Richard Bancroft seems to have been the first to see whence could be derived this coercive force which was so urgently needed to infuse vitality into the "carcass of the ecclesiastical law." For the first few years after Elizabeth's accession, the Privy Council had virtually administered the Church, by means of laymen and the paramount civil authority. Then Parker, and after him, Grindal, had made brave but fruitless attempts, lasting from 1567-1580, to work the old visitatorial system with results which called forth scathing denunciations from the Queen.[1] Warned by his predecessors' experience, Whitgift sought, by the stringent use of his famous Three Articles and by subscription to them, to ensure once more that only men who were likely to be conformable should

[1] See Strype's *Grindal*, and *Whit gift*, I, passim.

be accepted as clergymen. In a later chapter, we shall have more to say about his scheme, which was, after all, nothing new. But it was futile, and just at this time, 1587, when Bancroft was first in the confidence of the Government, from his discovery of the Classis movement; just at the moment when he became a member of the High Commission, we find the first traces of the use of that body for furnishing the ordinary administration of the Church with a coercive force of unlimited amount.[1] The Commission was transformed into a permanent organisation, which was ever after an essential part of the ecclesiastical fabric.

Bancroft found the High Commission little more than the ecclesiastical arm of the Privy Council. Henry VIII and his Viceregent, Cromwell, in trying heresy cases by commission, had adopted unconsciously some of the attributes of the old medieval heresy trial—the summary procedure, sanctioned partly by lay and partly by ecclesiastical authority, the finality of the decision and the lack of power of appeal, and finally the punishment by fine and imprisonment, for the State alone could inflict the death penalty.[2] This plenary authority granted him by the King,[3] Cromwell had delegated to many small and temporary commissions who had conducted the actual trials, and when Edward VI invested a com-

[1] The possibility of using the High Commission had been suggested earlier for individual cases. "It ought to trouble us both, that knowing and being informed often of the misorders of the parish, there hath nothing been done to this day, whereby their lewd liberty hath not been restrained but enlarged. . . . Even in this matter of St. Simon's, as I came to the knowledge thereof by chance, without the complaint of any of the parish, so I truly understand that the godly sort of that parish have promised to seek reformation at the High Commissioners: and that forthwith, being weary (as they say) of complaining and finding no redress. For my own part, I wash my hands of it, leaving the fault in you (if any be)." Bishop of Norwich to his chancellor, Feb. 3, 1572-3. Cambridge University MSS. E. e. 2. 34, f. 104 a. (printed in Gorham, *Reformation Gleanings*, 462.) Same to the same, to much the same effect, March 7, 1584, (Gorham, p. 484). There is some reason to believe that an attempt was made to strengthen the hands of the Bishop by indicting the offending clergymen at the assizes. See the Statement of John Hill, 1583, Morrice MSS. C. p. 314. Probably other men still had thought of the High Commission as the solution to the problem. Certainly Cosin and Stanhope must be given credit of much good work in the Commission in the years, 1580-1587, and they were ably assisted by Lewis and Aubery. But, after all, Bancroft seems to have the best claim to have originated or at any rate to have successfully applied the Commission to the strengthening of the administrative fabric.

[2] The best account of the medieval trial is in Wm. Stubbs's *Appendix to the Report of the Ecclesiastical Commission*, 1883, Parliamentary Documents, 1883, XXIV, 27.

[3] We have not the original: what

mission with the powers which Cromwell had exercised alone,[1] it proceeded in turn to create smaller bodies on the Cromwellian model. Mary first gave the Commission the shape it retained until 1583: her Letters Patent of 1556[2] was the model which all the early Elizabethan patents[3] followed. Under it, the General Commission itself began to exercise the powers so liberally granted, and its duties were substantially those of the first Elizabethan body. From the very first, the work of the Commissioners for Causes Ecclesiastical (as the body was officially called until 1611, and even unofficially until 1580) had been the maintenance of the Church settlement, and the suppression of heresy as the law of the moment defined it. Henry VIII had employed it to uphold the Six Articles and mow down Catholic and Protestant alike. Edward VI had found it useful in depriving the priests and in establishing the Book of Common Prayer; Mary, in her turn, discovered it to be exactly what she needed to purge the Church and reinstate Catholicism. Scarcely had the breath left her body and her sister assumed the throne, than a Commission, by the very irony of fate, with powers almost an exact counterpart word for word of her own, was using precisely her methods to send her Bishops to the Tower, to eject her priests from their benefices, and to force every official in England to renounce and abjure all allegiance to that Head of the Church whom she had held in such veneration.

The Commission was, therefore, not a creation, but a growth. What was begun by Henry VIII, extended by Edward VI, invested by Mary with something approaching final form, was turned by Elizabeth to the maintenance of Protestantism. The permanence with which she seemed to endow it was not the product of design, but the inevitable consequence of the fact that her settlement was the first to be permanent. She was, indeed, far more conservative than her sister. Out of seventeen articles in the Letters Patent of 1559, all but four were a verbatim repetition of Mary's Patent of 1556; the number of members was reduced; the size of the quorum

Burnet called that document (Pocock's *Burnet's Reformation*, V, 456) is Cotton MSS. Cleopatra, II, f. 131, and is only a bad copy of one of these small Commissions.

[1] The Edwardian Commissions are in Rymer, *Foedera*, XV, 181, and XV, 191. Wilkins, *Concilia*, IV, 43, and 37, 66, 118, 119, 140, 174. Fox, *Martyrs*, VI, 95.

[2] Patent Roll—, 3 & 4, Phil. & Mary, part 2, m. 48, printed in Pocock's *Burnet's Reformation*, V, 469.

[3] The salient parts of most of these are in Prothero's *Select Statutes*.

necessary for the transaction of business was doubled; the Edwardian device of a second quorum, one of whom must be present on the larger, was resurrected, with also a reduction of its numbers; instead of running to the Dominions of the Queen in general, the Commission's territorial scope was limited to England. Moreover, Elizabeth introduced into her Act of Supremacy a clause, which expressly sanctioned the Commission, not, however with the intention of limiting her own powers to the words of the Act, but in order to restrict the Commission to the limits of her own Letters Patent.[1] In the earlier days, indeed, both Henry and Edward had considered themselves fully empowered by their own Acts of Supremacy to issue such Commissions, although there was no express mention of any such body in the statute, and therefore the action of Elizabeth could not be deemed an innovation. The Commission was, in an exact sense, never "created" at all, but had been slowly developed by administrative necessity, and had been moulded rather by the actual needs of the moment than by any plan or intent of statesmen or churchmen.

During the first stage of its career, from 1535-1583, it was wholly under the control of the Privy Council. Elizabeth, conservative as ever, had seen no reason for changing her sister's and brother's habits of action.[2] The Council directed the Commissioners to try a case,[3] set forth its views of the manner in which the trial should be held, informed them what the decision should be,[4] and as likely as not, ordered them to use "expedition in th'examination thereof without protracting of tyme, and to advertyse their doinges to thintent furder order may be taken from hens therin."[5] Their competence to hear cases,[6] the sort of penalty to be assigned,[7] the appointment of the officers of the court,[8] were all matters in which

[1] "Such person or persons so to be named . . . shall have full power and authority by virtue of this Act and of the said Letters Patent, under your Highness, your heirs or successors, to exercise, use and execute all the premisses according to the tenor and effect of the said Letters Patent; any matter or cause to the contrary in any wise notwithstanding."

[2] The loss of the Act Books of the Commission renders it difficult to trace its development in detail.

[3] *Privy Council Register, New Series,* XI, 315, 415: XVIII, 362; XXIV, 317, XXV, 113, 211, 505; XXVI, 179, and on recusancy almost passim.

[4] *Privy Council Register,* XI, 137, 149, 174, 182, 212, 322, 362, 386. This shows the frequence of the orders.

[5] *Privy Council Register,* VII, 145, 28 May, 1564. See also XI, 456, excellent example.

[6] *Ibid.* VII, 331.

[7] *Privy Council Register,* VII, 127; XI, 322; XII, 336; XIII, 72.

[8] *Ibid.* VIII, 395.

the Privy Council did not scruple to interfere. In fact, during the first half century of its life, the Commission for Causes Ecclesiastical was not expected to take the initiative or to possess discretion. It was an engine of state, arbitrarily turned this way and that at the pleasure of the State; it was a tool, a machine, without continuity and without institutional life of its own. It performed what was ordered and the variety of the instructions of the Privy Council was limited only by the number of things ecclesiastical which it was necessary to accomplish. To it had been entrusted almost solely the enforcing of the Acts of Supremacy and Uniformity, of the Thirty-Nine Articles, and the punishing of all offences by Catholic or Puritan. The acceptance of the Church and its rites had become a test of political loyalty and to the Commission had been assigned the duty of maintaining strictly this standard of citizenship.[1] As such, it was a political not an ecclesiastical body, engaged in supporting the State, not the Church.

For all these duties, the Commission was exceedingly well fitted. Its membership was considerable and grew constantly larger as years went by, and its organisation by its very fluidity and indefiniteness, by its very lack of permanence and institutional life, was peculiarly elastic and adaptable. It possessed all the powers which the bishop had not. If a man fled from justice into another diocese the bishop had been unable to proceed against him, but the Commission, with jurisdiction over all England, simply sent a pursuivant to find the culprit and bring him back. If he refused to come, he could be arrested by attachment and brought by force. In the method of his trial, the Commission was not required to proceed according to strict rules of law and observe all its forms and countenance its delays, but could follow such a course in trying him as it found most expedient, whatever that might be. So far as its Letters Patent were concerned, it was not forced to use any known legal form at all. When he had been tried, and had been found guilty, it was not restricted, as were the bishops, to ecclesiastical censures and excommunication, but might fine and imprison him at its "discretion."[2]

[1] See the Commission of 1576 for proof of its jurisdiction, and also for the points of procedure mentioned, in the following paragraph.

[2] "to enquire as well by the oaths of twelve good and lawful men, as also by witnesses and all other ways and means ye can devise for all offences." Letters Patent of 1559, sect. iii. Section ix reads: "willing

Probably the facts that the Commission was only the tool of the Privy Council, that its duties were often, and at times wholly, performed by the lay members who preponderated in number for more than a decade, had prevented the Archbishop and Bishops from considering it as a possible panacea for the administrative weakness. Nor was its control by the State a commendation. By 1584, every one connected with the Church was heartily sick of the interference of the State in ecclesiastical affairs, and despaired that any good should be produced by the Queen's Councilors. What the churchmen wanted was power which they could use themselves at their discretion for the sole purpose of ecclesiastical administration. Moreover, the Commission stood completely outside the regular ecclesiastical fabric, and, by those who had influenced its growth, had never been intended to hold any other position. In addition, the early Commissions had probably been limited in time, and had, at any rate, been used by the Privy Council only spasmodically, and had not been allowed to exercise functions of permanent importance. Thus, the Commission was not only a political engine controlled by statesmen, but it was confessedly a temporary and unusual makeshift for the performance of duties which were either more than ordinarily difficult, or which imperatively demanded a swiftness of movement and a coercive force, which the Queen and Bishops alike had grown weary of seeking in the Church organisation itself.

But insensibly, by degrees, the Commission had been acquiring a permanent footing, regular duties, a longer term of office, greater discretion of its own, and a distinct relation to the regular ecclesiastical officers. At first, the work of depriving the Marian clergy, as that of removing the Edwardians by Mary, had been consummated by laymen, because there were no clergy in office whom Elizabeth

and commanding you or six of you . . . from time to time hereafter to use and devise all such politic ways and means for the trial and searching out of all the premisses, as by you or six of you, as aforesaid, shall be thought most expedient and necessary; and upon due proof had, and the offence or offences before specified, or any of them, sufficiently proved against any person or persons by confession of the party or by lawful witnesses or by any due means before you or six of you, that then you or six of you as aforesaid, shall have full power and authority to award such punishment to every offender by fine, imprisonment or otherwise, by all or any of the ways aforesaid, and to take such order for the redress of the same as to your wisdoms and discretions shall be thought meet and convenient."

dared trust; but as the years went on, the Archbishop and the Bishop of London gradually were permitted to absorb the direction of affairs, and the supervision of the Privy Council grew less and less minute and less and less frequent. With the greater stability of the Elizabethan settlement, and with the downfall of Catholic hopes after the imprisoning of Mary Stuart, and the execution of the ill-fated Duke of Norfolk, the problems demanding solution exacted more and more from the Commissioners a special knowledge of ecclesiastical issues with which laymen were not conversant.

Gradually, while still bound hand and foot to the Privy Council, the force of circumstances had been emancipating the Commission both from such close supervision and from such minute dictation and had tended to bring the ecclesiastical branch of its membership into greater prominence. It had always been inferred that the Commission was a court of some order, although it was at first absolutely untrammelled by judicial precedents and forms, and exercised rather that supreme residual jurisdiction vested in the fount of justice than an ordinary competence to try suits between party and party. Still, as the crisis passed, and the Commission began to deal with matters on which the safety of the State certainly did not immediately depend, and when the culprit accused was not demonstrated guilty by some unmistakable test, like the refusal of the oath of supremacy or the saying of mass, he always had something to say in his own behalf. As the freedom from legal form resulted in an unrestricted exchange of charges and denials, threats and mutual defiance, it was soon seen to be better that some form of law, however slight, would be preferable to so wearing and time-consuming a process as this unlimited freedom led to.[1] From hearing the culprit's plea, and the observance of some legal forms, it was only a step to the admission of the other party to the complaint, which oftener than not included some third person. The process of the Commission, highly superior to the ecclesiastical courts, began to attract suitors, and the Privy Council, which had all sorts of complaints between party and party referred to it by petition, grew into the habit of turning these matters over to the High Commission. Thus it was that in 1587, when Bancroft came to that body, it was nominally only a temporary engine of

[1] All these changes and the impending growth are clearly visible in the provisions of the Commission of 1576.

state, controlled by politicians, endowed with certain extraordinary visitatorial powers which had proved extremely useful in emergencies. Actually, however, the trend of affairs had invested it with permanence, and with many of the attributes of a regular court of law for the hearing of suits between party and party, and had gradually been giving the actual control of its motions to ecclesiastics.

Bancroft now seems to have suggested[1] to Whitgift that without anything at all being said, this process of development could be carried very easily a point further by conscious assistance, and the Commission made into a permanent court of ecclesiastical law, controlled by the Church, and used mainly for supplying that coercive power which the bishops lacked.[2] Its original visitatorial functions, practically unlimited in scope, would allow it to seek out what was hidden from the bishop, and its new attitude as a court of law would allow it to try all those cases of petty disobedience in which the bishop failed for lack of a penalty which the culprit feared. Inasmuch as the jurisdiction extended over all England, there would be no escaping its arm by calmly riding into the next diocese until the stir had blown over; nor would there be any more long lists handed in of people who had disobeyed the court, had been excommunicated, and had so remained with perfect unconcern for months and even years. Best of all, the Commission had the power of compelling the clergy to perform specifically any of its orders, could imprison the man until he agreed to obey, and recommit him if he did not. The same power which had been efficacious in compelling a man to take the oath of supremacy, might be equally valuable, pointed out the astute Dr. Bancroft, in

[1] This is one of those statements which cannot be proved by direct quotation, but of which a man may be as certain from fifty little indications, plain only to one thoroughly conversant with the subject, as he is of any fact in so nebulous and difficult a field as administrative history of the 16th century. Before the date when he became so prominent in it, the correspondence of the chief men refers to it only as a supreme force, just as the justices of peace referred to the Privy Council as something for use in a time of extremity; but after 1590, it is common to have Bishops declare that without the High Commission the ordinary work of the dioceses could not go on.

[2] Powers of this sort had been sanctioned by the Commission of 1559—though little used until about 1575 or 1580, when signs of suits between party and party became indubitable, and had clearly long existed. It had long been seen that the Commission was the only coercive force in the Church. What had not been apprehended was its value for ordinary administration. See Strype, *Whitgift*, I, 267.

forcing him to wear the surplice or read the prayer book; might constrain a divorced husband to pay the promised alimony; and might compel the reluctant administrator to pay the legacies and settle the estate as the will directed. He showed what some few already knew, that three civil lawyers, travelling around England under the Commission and with strict and minute orders from the Privy Council had, at various crises, accomplished more in six months than the two Archbishops and twenty-four Bishops with all the Deans and Archdeacons in England could have consummated by their ordinary jurisdictions in as many years.

By 1592, the transformation was complete.[1] In 1580, it was barely discernible that the Commission was a law court; in 1584 it had become fairly clear; but by 1593 its judicial functions overshadowed every other power it exercised and soon so dwarfed the visitatorial powers that they fell completely into abeyance. The Registrar and a few notaries, employed by the first Commission, had swollen into a goodly array of clerks and officials such as the other ecclesiastical courts possessed. Proctors and advocates were regularly licensed to practice before its bar, and the old summary jurisdiction of the days of Henry VIII and Mary gave way to the regular ecclesiastical procedure, shorn in truth of many of its delays and excrescences, but still unquestionably regular and firm. Every aspect of temporary organisation, of unfettered and arbitrary power, of disregard of judicial forms and precedents, disappeared completely, and although the power remained and was at times exercised, it was later felt to be an unwarrantable stretching of precedent and almost an innovation. Indeed, when Laud followed in some measure the arbitrary procedure of the early days, it was thought by many that he had exceeded all justice and equity. That feeling was the result of the work of Bancroft, under whom the Commission had been the most impartial ecclesiastical court in the realm, and the only one which favoured suitors more than any other, despite the occasional severity which it well knew how to exercise.

[1] See the description of the High Commission in Richard Cosin, *Apology of and for Sundry Proceedings by Jurisdiction Ecclesiastical.* (1593) part II. This would not have been said of it ten years earlier: and the complaint that it was an innovation made by the writer of a tract called *Treatisour* in 1590 proves how recent it was. A long and accurate account of the Commission's procedure will be found in Trinity College (Camb.) MSS. O. 5. 21.

The Commission obtained a new dignity, and began to develop an institutional life of its own, characterized by firmness, constancy, and certainty. Bancroft even seems to have introduced in some degree the following of precedent, not only in regard to its own decisions but also in regard to the general ecclesiastical and civil law and the usual practice of the ecclesiastical courts of the realm. In suits between party and party, the discussions by the court now became noted for a singular moderation and impartiality, despite the great rapidity with which it pushed cases on to determination, a speed which greatly declined, as the business of the court grew with leaps and bounds into a volume so great that it was with difficulty the Commissioners could handle it. One of the most valuable portions of the Commission's work was its function as a court of equity for ecclesiastical affairs since the judge was always ready to hear a call for justice which could not have been listened to in the ordinary courts of law.[1] It was only in the Commission that any relief could be obtained along the lines now followed in the equity courts, such as decrees for specific performance. It also considered divorce, probate and kindred topics.[2] Important as was this legal aspect of the work of the Commission, in cases between party and party, its greater function was to render to the bishops effective and speedy assistance in administrative matters under circumstances where otherwise they would have been powerless.[3] In the course of time, the knowledge that the bishops had the High Commission behind them in case of need was sufficient to produce obedience to an order, that, in 1580, would have been quietly neglected or openly derided. It did not take the bishops long to realise the value of the new weapon, and compared to the despondent tone of the five years, 1580-1585, they were cheerful and hopeful. The Bishop of Worcester asked for one in his dio-

1 The Commission could proceed "upon complaint of some partie iustly grieved, otherwise being without remedy." Cosin, supra.

2 Letters Patent of 1559. s. XII, to take bond "for the performance and accomplishment of your orders and decrees." Bonds taken "for performance of whatsoever shall be by the Commissioners ordered." (Parliamentary Petition of 1610. Prothero, 304.) See examples in Tanner MSS. 74, f. 38; Excheq. Q. R. Eccles., Bundle 12.

3 Sir John Lambe, Account of the High Commission. S. P. Dom. Car. I, 340, no. 83, (1637) "to assist the ordinaries where they cannot sufficiently correct, or by the ordinary way of the law rule their refractory and exorbitant offenders and offences," and all cases where "the ordinary require the assistance of the Court."

cese:[1] "How weak ordinary authority is to do any good on either sort, long experience hath taught me, excommunication being the only bridle the law yieldeth to a Bishop and either side utterly despising that course of correction." The Bishop of Carlisle declared that "of these (recusants) most are disorderly, some are superstitiously popish, others impiously licentious; one husband has divers wives living, and one wife divers husbands. They make no reckoning of ecclesiastical censures. If the principals felt the smart of civil justice, they might be humbled or at least the trouble would not spread so far."[2] The Bishop of Exeter wanted more power "for the better strengthening of my ordinary jurisdiction."[3] Cosin, writing in 1592,[4] after the transformation, said, that "the deuice of the Commission Ecclesiasticall was for assistance and ayde of Ordinary Iurisdiction Ecclesiasticall, and for rounder proceeding and more greuious punishment at least (in these dissolute times) more feared: then can or may by Ordinarie Iurisdiction be inflicted." The magnitude of the achievement and its vital importance appears from Whitgift's utterance:— "the whole ecclesiastical law is a carcasse without a soul, yf it be not in the wantes supplied by the commission."[5] So clear was this on Bancroft's death, that Calderwood, a contemporary, wrote in his "History of the Scottish Kirk,"[6] "The Bishops in England mainteane their episcopall jurisdictioun, whereof they were in possessioun, by this extraordinarie jurisdictioun or power of a high commissioun, from the prince."

NOTE A

In Additional MSS. 16,279, at end of the volume, uncalendared, is a history of nineteen English counties, omitting Norfolk, Lincoln and all the North, which allots to the Crown the patronage of 444 livings. The number given for Suffolk agrees closely with the figure in Tanner MSS. 178, f. 45, which lends credit to the paper. Adding to this sum the figures we have

[1] Bilson, Bishop of Worcester, Historical MSS. Commission Reports, *Hatfield House*, VI, 265; July 17, 1596. See also another case in the Cotton MSS. Vespasian, F. XII, 157.

[2] S. P. Dom. Eliz. 275, no. 66, Sept. 20, 1600.

[3] Hatfield MSS. 85, f. 1. Jan. 31, 1600-01.

[4] Cosin, *Apology*, Part i, p. 111. There is confirmation in documents in Exchequer Docs. Q. R. Eccles., Bundle 12.

[5] Strype, *Whitgift*, I, 267.

[6] Calderwood, VII, 63.

from Tanner, 178, f. 45, 150, f. 141: Additional MSS. 14,289, f. 115-123, (Margin) for the North, Norfolk, Lincoln, etc., we arrive at a total of about one thousand benefices, at the least, in the gift of the Crown. This is the only general figure for the whole of England that is obtainable, but must be under the true total, for we know from the Patent Rolls, that in 39 Eliz. part 17, the Crown filled 167 vacancies, in 41 Eliz. part 18, 91: in 42 Eliz. part 17a, 96, and in 43 Eliz. part 3, 116, which agrees with Tanner MSS. 179. A list in Lansdowne MSS. 445 gives us even larger totals. It is hardly likely that ten per cent. of the King's benefices were vacant yearly. Probably if we assign the Crown 2500, the laity 5000 and the clergy 1500–2000, we shall approximate the truth. The figures differ so that two tables have been added here, one of contemporary estimates, and one compiled by the present writer from detailed contemporary returns. There is great divergence evident in all directions.

Comparative Statistics of the Number of Benefices Controlled by the Laity, the Crown, and the Clergy.

	Total Parishes	Laity	Clergy	Crown	Authority
Diocese of Norwich	1418	1159	142	117[1]	Tanner MSS. 178 f. 45
Diocese of Rochester	94	41	33	20	Cotton MS. Cleopatra, F. I. f. 344
Diocese of Lincoln	1155	—	—	134	Additional MSS. 14289, f. 115-123 S. P. Dom. Jac. I, 28, 142
County of Bedford	86[2]	60	11[3]	15	*Bedfordshire Notes and Queries* II.
County of Lancashire	87	50	28	9	Lord Kenyon Papers XIV. *Report* pt. iv. p. 7.
Diocese of York	638	184	122	332	Tanner MSS. 150 f. 141

[1] Tanner MSS. 289, f. 1, says 104.
[2] Stowe MSS. 570, f. 91, gives 120.
[3] Includes ten controlled by the Colleges, chiefly Trinity College, Cambridge.

Patrons of Benefices.

	The King	Laymen	Bishop of Diocese	Other Bishops	Deans and Chapters	Colleges	Other Clergy	Impropriations
Diocese of Winchester, 1603.[1]	51	172	48	3	14	20	6	138
Archdeaconry of Suffolk, 1603.	43	107	2	2	6	3	—	110
Archdeaconry of Sudbury, 1603.	29	124	0	3	1	6	—	53
Archdeaconry of Norwich, 1603.	30	145	14	2	10	13	6	94
Totals	153	548	64	10	31	42	12	390

[1]All these statistics were compiled from the original reports of the Bishops in Harleian MSS. 595.

CHAPTER VI

A BISHOP'S FUNCTIONS AS AN OFFICER OF STATE

Late in the winter of 1596, the Bishop of London died. In the strenuous campaign that followed, the statesmen were pitted against the Archbishop, who seems to have been determined that no one but Bancroft should have the post, and was at least convinced that no one was fitter than he to hold it. Bancroft's services had been great. He had found the bishops assailed by the Puritans and in disfavour with the Queen, all of which had been reversed by his discovering the details of the Classis movement, and the Marprelate tracts. Never again did Elizabeth and her Council doubt the capacity, sincerity, and justice of the bishops' policy. Bancroft found the Church without power to enforce its smallest commands on a really obdurate culprit, and forced to sue for aid from the High Commission through the Privy Council, which controlled it, and refused to set its machinery in motion on slight occasions. It was not so much that there was not power, but there was none which the bishops could use at their own discretion for purely ecclesiastical affairs. Bancroft had contrived to transform the Commission in half a dozen strenuous years into exactly the instrument needed. These were great services but the second and most essential was not one from which capital could be made with Queen and Council, who still looked askance at the control of the Church by ecclesiastics. On political grounds, all the statesmen suspected him for a while. All the old grudges against him, from his opposition to the University statutes in 1572, to his connections with Hatton, were raked forth to do service against him. Whitgift wrote a long letter to the Queen, summarizing his record of services, but all was futile until he and Bancroft practically surrendered themselves to the Cecils, father and son, then respectively the Lord Treasurer and principal Secretary of State.[1] All obstacles then melted away. On April 6,

[1] Whitgift's and Bancroft's own letters, as well as his subsequent relations to Cecil, are conclusive proof of this statement. See Bancroft's letters in Lansdowne MSS. 84, no. 76, (May 16, 1597); Hatfield MSS.,

Bancroft was definitely listed as the new Bishop of London, and was finally enthroned on June 6, 1597. Both he and Whitgift were loud in their expressions of gratitude to the two Cecils. "Good Mr. Secretarie," wrote the Archbishop, "you have bownd me unto you in this action for ever. Nether by God's grace, shall you at anie time haue cause to repent you of this your most faithful and kinde dealings with me. And as for Dr. Bancroft, I dare assuer you that you shal finde him an honest, suer, and faythfull man." [1]

Bancroft's position as Bishop of London was typical of the routine life of an Elizabethan bishop. Like most prelates, he had been a pluralist, and, on taking higher office, resigned some eight rectories and prebends.[2] Like them, he owed his promotion to political influence, and to his promise to support the Cecils, father and son, under all circumstances. It was significant that his ecclesiastical functions were to be secondary in importance to his political, that he was to display not administrative ability in ecclesiastical affairs, but discretion and tact in the performance of certain onerous and delicate duties of a quasi-political character which the Privy Council had been in the habit of entrusting to the Bishop of London. The Reformation had, in truth, made the Church part of the State, and its bishops the servants of statesmen.

The condition of his See was also typical. Nominally its income was about £1000, but, in view of the open house which a bishop was supposed to keep, in view of the practice of committing to his care various political prisoners whom he was to entertain at his own expense and guard at his peril, a thousand pounds hardly paid Bancroft's household bills for a year.[3] Such, moreover, had been Aylmer's straits that the houses which the See owned were "readye to fall downe when I came," wrote Bancroft disconsolately. The palaces at Fulham and at London, needed immediate repairs and it would cost £2500 to refit them thoroughly, while nothing less than £4051 would restore St. Paul's Cathedral to sound condition.[4] Yet, there was no place where he could look for money, for the great

70, f. 47, (May 22, 1599); Hatfield MSS. 75, f. 15, (Dec. 4, 1599); etc.,

[1] Hatfield MSS. 49, f. 108, April 7, 1597. Whitgift to Robert Cecil. Original, signed.

[2] A list which he himself drew up at this time is in S. P. Dom. Eliz. 262, no. 162.

[3] See an account sheet of his in S. P. Dom. Eliz. 266, no. 119.

[4] Bancroft to Burghley. Lansdowne MSS. 84, f. 81, Nov. 20, 1597. His predecessor had reported the same, on Sept. 29, 1595, Hatfield, MSS., 35, f. 33. He, however, had done nothing to better it.

landed estates of the See had been so encumbered by Aylmer with leases for a hundred years, or at the shortest for two or three lives, that the rents were seriously impaired and the land had passed entirely out of the Bishop's control. For many of the leases, Aylmer had received a large sum in ready money, and, in return, had reduced the rent to some nominal sum. Elsewhere, he had cut off the timber to the value of six thousand pounds, and so impoverished the woodland that Bancroft thought he would scarcely be able to cut his firewood without impairing it still more seriously.[1] Be it said to his great credit that he scorned to use such expedients to relieve his own necessities, and left the estates in the best condition they had been in for years.

First, he took the proper legal steps to recoup the bishopric from the dilapidations which it had suffered at his predecessors' hands, securing in due time a sentence in the Court of Arches against the executors for £4210.[2] Aylmer had, however, foreseen that contingency. He knew that he was leaving behind him eight children mostly under age[3] who would be penniless except for such provision as he could make, and that, if his estate was open to suits by his successor,[4] it would all be required to repair the havoc he had made with the revenues of the See. By severe economies and clever scheming, he had managed to secure enough to purchase a landed estate worth £16,000, and had so tied it up with legal technicalities that it was not liable to suits. Then he had taken care to leave only enough personal estate to defray his funeral expenses. "So as nowe his sonne," wrote Bancroft to Burghley, in high dudgeon,[5] "maketh no accompt at all of the said sentence, but in distaynful manner (as I am informed) biddeth the Bishop of London repayre howe he list, but he shall repayre nothing with his money." "Wherefore," concluded Bancroft, "as your L[ordship] wrought out the conclusion of this my preferment, whereby your L[ordship] having made me a Bishop, you should make me able to live in some reasonable sort like a Bisshop."[6] He brought a bill into Parliament to make the estates of the defunct bishop liable, but it was not passed.[7]

[1] Bancroft to Burghley, Nov. 20, 1597.

[2] Lansdowne MSS. 983, f. 92 b. contains an account of this suit.

[3] S. P. Dom. Eliz. 259, no. 47. June, 1596.

[4] Under the acts of 13 Eliz. c. 10 and 18 Eliz. c. 11.

[5] Lansdowne MSS. 84, f. 81. Nov. 20, 1597. Aylmer himself had brought similar suit against Grindal. Harleian MSS., 589, f. 294.

[6] Lansdowne MSS. 84, f. 76, May 16, 1597.

[7] *Lords' Journals*, II, 203 a.

At the end of seven years and a half, when he became Archbishop, his financial condition was desperate, caused by his strenuous efforts to improve the condition of the See. In the year following his accession, he had spent £900 in the repairs of his palaces at London and Fulham, and by 1604 he had expended £900 more for the same purpose. The initial expenses of assuming his bishopric amounted to some £300, while £1865 went for fees and gratuities with which custom or patents had saddled the episcopal revenues. The regular first fruits and tenths had consumed £1600, or a fourth of his seven years' income, upon which was heaped £972 for subsidies, and £900 for his journey to Embden as ambassador in 1600: the total reaching the considerable sum of £8297 in seven years, or £1297 more than his income. Thus, after paying his state taxes and unusual fees and expenses, he had had less than nothing with which to maintain a household of fifty persons and entertain constantly all sorts of guests foisted upon him by the Privy Council.[1]

In 1598, he held his regular visitation and secured more signatures of subscription to the Three Articles than any other bishop had ever gained in a similar time.[2] He found the clergy outwardly conformable and also very ready to complain of the practices of the Puritan preachers, particularly of Stephen Egerton, the only one of the Presbyterian faction still active. So energetic, however, was he that some of the London clergy complained loudly that their parishioners left their services and flocked to hear him, "to the apparent contynuance of schisme amongest us." "Neither are his guiftes or learninge extraordinary, nor they that leave theire own churches to goe and heare him, are better than theire neighbors." "The matter is," continued Bancroft, "he is knowne to be of the presbyteriall faction and, therefore, suche as be of that humor followe him." He "hathe had better fortune to be borne with then any other that I knowe, though he hathe litle deserved it." No doubt the bishop would have dealt with him as he felt his actions merited had not the Earl of Essex and Cecil himself plead in Egerton's behalf, and had it not been, as Bancroft phrased it, that "as

[1] His balance sheets are in S. P. Dom. Eliz. 266, no. 119, and in more detail in Hatfield MSS. 108, f. 40, (Dec. 1604) Original.

[2] The original book of subscriptions by the London clergy is at Lambeth Palace Library. Carta Miscel., XIII, f. 57, et seq. A copy of his directions to his clergy dated March 13, 1597-8, is in Lansdowne MSS. 983, f. 92 b.

thinges were then in some good quietnes, I would not begynne a new stirre," "notwithstandinge many complaints of his nippinge and girdinge at the orders of the Church."[1] In fact, Bancroft had no more desire to trouble these Puritans than they had to be molested, and asked only that they restrain themselves from publicly attacking the Church. Indeed, if Egerton was connived at in London, when every detail of his past history and his present conduct convinced Bancroft that he was unworthy of favour, how much more was an obscure parson unmolested who confined his nonconformity to the peaceable exposition of Genevan principles to a crowd of dull peasants in some remote corner of Essex or Northamptonshire.

But the greatest problem which Bancroft found before him was not the nonconformity arising from conscientious scruples, but the disobedience springing from ignorance, neglect, and the enormous difficulty of supervision and communication. If conformity and regularity were to be found anywhere in England, they should surely have existed at St. Paul's Cathedral, where, certainly, there were no Puritans and where the Bishop could not complain that it was too far distant for him to be cognizant of the disobedience. But Bancroft's visitation of the Cathedral in 1598[2] developed the facts, (which, no doubt, he already knew) that many of the chapter came late to service and went away before it was ended, never staying for the sermon. At the confession, instead of kneeling as the rubric directed, they remained seated, and also failed to rise when the *Gloria Patri* was sung. During the chanting of the Psalms some would sit instead of standing and talk to each other in strident tones which were perfectly audible above the voices of the choir. Then, the choir failed to observe due decorum during prayers, or sermons, for the boys laughed and prattled or ran about the church, demanding spur money from various gentlemen according to the ancient custom which forced every knight to pay when he entered the choir for the first time. And "in the upper quier, wher the communion table doth stande, ther is much unreverente people walking

[1] Bancroft to Cecil. Hatfield MSS. 85, f. 138, April 2, 1601. Original, signed. It relates the events of three years previous. See also Egerton to Cecil, April 8, 1601. Hatfield MSS. 85, f. 145, protesting his innocence and his peaceable behavior.

[2] The original returns are in the Library of St. Paul's Cathedral. Printed extracts are in W. S. Simpson, *Registrum Statutorum et Consuetudinum Ecclesiae Cathedralis Sancti Pauli Londoniensis*, (London, 1873.) 272 to 280.

with hattes on their heades comonlye all the servyce tyme, no man approvinge (sic) them for yt."

The desecration of the building was even worse than the irregular conduct of the clergy. A continual procession of people drifted through the nave at all times of the day. Men with sacks of coal and sides of beef jostled against the merchant and the tradesman. There the gallant met the evil women of the town. All about, lay heaps of ill-smelling refuse, the sweepings of the church. In the Long Chapel were piles of refuse lumber remaining from the repairs completed forty years before, while other chapels were blocked up by discarded stones. Between the noise of people in the nave, the "hallowing and hooting" in the steeple, the pounding and racket of the carpenters and trunkmakers to whom the basements and crypts had been leased, the church was, even during service time, like Bedlam itself.

Yet, worst of all faults, said one witness, was the disregard of the visitation itself, as if "it were helde rather for formes sake than to refourme: for thease disorders have been most of them compleyned on at every Visitation and yet continue in thyr oulde irregularitye." From a far corner of England, from Bancroft's own county of Lancashire, came the same cry, the burden of the tale in fact from the whole Church. Little attention was paid to the bishop's citations to appear and answer for misdemeanours. Excommunication, the chief weapon of the Church, was little feared by clergy or laity. When the bishop issued a commission to amend matters, it was sometimes not executed at all, and was seldom effective. Even at the visitations, "the ecclesiasticall proceedinge (was) voide of all validity and good effect."[1] The records of the visitations as they lie open to us amply confirm these statements. The administration of the Church had degenerated into a form executed because the law ordered it done.

Bancroft needed no presentments at visitations to tell him what was the state of the Church, for he had himself seen the system in all its inefficiency. It was in fact the sight of it which had roused in him the impulses of a reformer. He had not begun life with the intention of reconstructing the Church, and had not felt himself called to his work, as had John Knox. Emotionalism and undue enthusiasm were not a part of his temperament, and it was very for-

[1] Tanner MSS. 144, f. 28. (1590)

tunate for the Church that it was so. When he left Cambridge, he had been in search of a livelihood, of preferment, and above all, of fame, but the daily contact with evil, the daily sight of the slovenly and careless administration of the Church had produced in his mind a profound conviction that the existing evil was insupportable.

A task with which Bancroft was now entrusted was that important duty of censoring the press, and supervising the priests and recusants in or near London. Nominally, indeed, the censorship was controlled by the Star Chamber, of which Bancroft became a member in February, 1599-1600, whence emanated the regulations and the orders for administering them. But their execution devolved upon the High Commission where Bancroft, as Bishop of London, was the nominal, as well as the actual, head. The men of the sixteenth and seventeenth centuries felt, with Bacon, that "the License of the Pen was the disease of the time," and exclaimed, with Milton, "that it is of greatest concernment in the Church and Commonwealth to have a vigilant eye how books demean themselves, as well as men, and thereafter to confine, imprison and do sharpest justice on them as malefactors. . . . I know they are as lively and as vigourously productive as those fabulous dragons teeth, and being sown up and down, may chance to spring up armed men." These phrases were penned by the poet in his great defence of the freedom of the press. Unless we bear constantly in mind what a different attitude was held by Bancroft's contemporaries towards this subject, unless we can picture for ourselves their lively and ever present fear of the results of permitting authors and publishers to sow the dragons' teeth, we shall not be able to view Bancroft's work in this connection with impartiality or anything like true perspective. The fear of this dread harvest of armed men sent the pursuivants searching studies and closets, opening the mails, reading travellers' papers and books, and keeping watch of the stock in every bookseller's window in Paul's Churchyard. Such care, in fact, was thought to be more than justifiable; it was regarded as a necessity. In a short time Bancroft had devised a complete system of supervision,[1] which licensed the books published in England,

[1] The evidence for this statement is contained in a multitude of letters and documents of every sort and description in the State Papers in the Record Office and in the British Museum MSS. and in the Hatfield MSS. A full description of the system and a recounting of the interesting and vivid happenings would require two or three chapters, but it is

watched the ports lest "seditious" literature should be smuggled in from abroad, and suppressed as soon as possible every undesirable sheet or volume which managed to elude these precautions, as not a few did. Of course, much of this work was done by the Stationers Company and by Bancroft's chaplains and underlings, but much of it received his personal attention.[1]

The other duty with which Bancroft occupied much of his time concerned the warding of priests and recusants in and about London.[2] On the whole, the Church had little to do with recusants after 1592, for the execution of the severe penal laws was considered a matter of state, and was entrusted to a special commission in which the chief law officers of the realm—the Chancellor, the Attorney General, and a number of Serjeants—bore the brunt of the work, with, of course, assistance from the justices of the peace. The collection of recusants' fines was leased toward the close of Elizabeth's reign to an "undertaker," Fenner, who succeeded in annoying his victims more in a few short months than all the bishops had in the preceding fifteen years. In short, the execution of the penal laws had become wholly a temporal and political matter. To the Bishop of London remained, however, the supervision of the priests and ecclesiastical culprits in London itself, and the care of political prisoners. Influential priests, or other supposedly dangerous men, were immured at some considerable distance from London in the Castle of Wisbeach or at Framlingham, leaving chiefly "the meaner sort" in the filthy London jails. These men, too, were sedulously sowing the dragons' teeth, and it was the Bishop's care to see that they reaped no harvest, an occupation which consumed about a third of all his time and, compared with which in the eyes of Cecil and of

hoped that enough for purposes of illustration has been included in this present chapter.

[1] For instance, he himself read and annotated all the more important books and papers and often sent an annotated copy to Cecil. Hatfield MSS. 55, f. 83; 86, f. 21; 74, f. 65; 89, f. 71.

[2] On this topic also the mass of material is enormous. In fact it might almost be said that half the papers we have about the Catholics are in some way related to this subject. Such incidents as this were common. In Feb. 1599-1600, there was a great assembly of men and women at the Marshalsea prison to hear a Capuchin friar preach, "where they were staide and kept all night to the number of three or foure score, and afterwards examined by the Bishop of London, Dr. Stanhope and others, some were dismissed payeinge theyre charges, some bound over and some committed." Chamberlain to Carleton. S. P. Dom. Eliz. 274, no. 54.

Elizabeth, the careful administration of his diocese was of small moment.[1]

There was still another sort of quasi-political duty which claimed a good deal of attention. To the royal mind, there was no place in the realm where conformity and recognition of the essentials of the Reformation settlement were so indispensable as in the institutions of learning, for, under proper direction, they would instil into the coming generation the ideas most consonant with the welfare of the state as Elizabeth conceived it, while, without such control, they would soon degenerate into "seminaries of sedition." To oversee education, to make sure that a conservative and obedient man should be chosen head of every college and school by those in whom the rights of election were vested, to arbitrate every dispute and restore peace as quickly as possible, was the task of the Bishop of London. A few instances out of many must suffice us.

It so happened that when the Master of Katherine Hall, Cambridge, died, the three Senior Fellows supported one candidate, while the three Juniors espoused the cause of another. They met, argued, and adjourned to meet again for further discussion, but all to no purpose. Neither would yield, the Seniors declaring that their seniority gave their votes greater weight which the younger men vehemently denied, so that the meeting broke up in confusion and angry words. Next, the Juniors called a meeting which the Seniors refused to attend, whereupon, without more ado, the Juniors voted them, according to the strict Roman law practice, "civilly dead," and elected their own candidate. By this time, news of the scandal had found its way to London and had been referred to Bancroft. After a great deal of trouble and correspondence, he secured the submission of the Juniors and restored peace.[2] Some time previous John Rudd had declared in the pulpit at St. Mary's, Cambridge, that nine-tenths of the clergy were but "dumb-dogs," an expression whose truth was so considerable that it was speedily brought to the attention of the High Commission at London. Rudd was summoned to the metropolis, spent some time in jail pending trial,

[1] His correspondence with Cecil for the years 1601-1604 will furnish sufficient examples of this type.

[2] The papers for this incident are in Baker MSS. M. m. i. 35. f. 364-5. Bancroft to Jegon, the Vice Chancellor. Mar. 12, 1597-8, and f. 365, Jegon to Burghley, Mar. 18, 1597-8. Compare the case of Trinity Hall, Hatfield MSS. 136, f. 62 a, June 3, 1598.

still more time after trial, signed an abject submission, and was finally released.[1] Another case which gave Bancroft more than ordinary trouble and perplexity arose out of the scandal ensuing from a suit of Alderman Baning of London for a divorce. Inasmuch as Elizabeth had been highly displeased by this scandal, and had expressed her feelings in a rather severe manner, Bancroft did not look forward to an interview with her with pleasure. "I was yesterday with her Majestie," he wrote to Cecil, "and althowghe it pleased her to be somewhat sharpe: yet I well perceyved that your honor had beene my verie honorable frende and made my way much more passable then I feared to haue fownd it. I trust I haue satisfied her highness towchinge my proceedinge with Mr. Banninge."[2]

Scarcely had the Queen had time to forget the Alderman and his domestic troubles than she found renewed reason to be angry with Bancroft. In the spring of the year 1599, the Earl of Essex had set out for Ireland at the head of a fine army to subdue and govern the disorderly kerns. Six months later saw him in close confinement as a prisoner in his own house, while his Puritan friends were everywhere offering prayers for his safety. Various ministers, whose zeal outstripped their prudence, ventured during November, when the Earl's prospects looked darkest, to pray in public for God to strengthen "that noble Barak, thy servant, in the inward man against *all* his enemies," while another went so far as to toll a bell for him.[3] Even the preacher at Paul's Cross had alluded to his misfortunes in a very imprudent manner. For this Bancroft was held responsible. It was his duty to see that preachers in London let political subjects severely alone, for the pulpit at Paul's Cross was, in a sense, the mouthpiece of the Government, and it was imperative that nothing should be said there which the Government would not willingly support. But, nevertheless, had not Bancroft's old enemies still been active at Court, so much stir would not have been made over this matter. "You know, Sir," wrote Bancroft to

[1] On Rudd see Baker MSS. M. m. i. 35, f. 348. Whitgift, Cosin, and Bancroft to Jegon, March 19, 1596; f. 373, Bancroft to Jegon, Sept. 6, 1598; Rudd's retractation is in M. m. 2, 23, f. 193, 194. These same volumes contain also several other cases.

[2] Hatfield MSS. 71, f. 65. July 16, 1599. Holograph.

[3] S. P. Dom. Eliz. 273, no. 59, Dec. 29, 1599. Dr. Edward Stanhope to Sir John Stanhope; this contains most of the details. S. P. Dom. Eliz. 274, no. 1, Jan. 1599-1600, statement of David Roberts.

Cecil, a few days later, "how impossible it is for me or any other man livinge to prevente suche escapes. . . . . Yow cannot peradventure easilye surmise how much I am grieved, that takinge so great paynes for the discharge of my dutye (as I dare assume to prefesse) I am so ofte depraved unto her Majestie, ffor the meeting with which inconvenience and my better incouragement, might it stande with your Honour's pleasure to profferre this my most humble suite unto her high and royall wisdome: not to beleeve anything against me or to be offended with me, untill I may be heard, what I am able to say in myne owne defence, I shall accompte myselfe more beholden unto yow for the comfort yow shall thereby obteyne for me in the holdinge of my Bishopricke then I was to your right honorable late good Father, in beinge a chief instrument in the procuring it for me."[1]

Richardson, the chief offender, was soon in custody, and to Bancroft's mind was possessed of "much more learninge than discretion."[2] Further investigation proved that only one bell, and not many had been tolled; that the ministers who prayed for the Earl had been either his own chaplains or Cambridge men whom the University Statutes compelled to pray for him as their Chancellor; and that, first and last, a great deal of noise had been made with very small reason.[3] Easy as it was to prove this to Cecil and others, it was quite another matter to get the Queen's ear. Three weeks later, his peace was not made. The slander followed him, he wrote to Sir John Stanhope, the brother of his Chancellor,[4] "like some fayry or haunting sprite that men talke of. No man living hath a greater desire than myselfe to satisfie in my place her Majesty's expectation: how be it, those things yt I do well in are either kept from her highness or depraved and everie omission or want of foresight how things may be construed, hath beene aggravated ever since I was Bishop, unto my great preiudice. So as, this being my case, I do rather marvayle at her Majesty's clemencie, in that she hath not either cast me into prison, or thrust me from my Bishoprick: then to heare of her greate displeasure towardes me."

In the spring of the following year (1600), Bancroft was named as the head of an embassy for the negotiation of a treaty with Den-

[1] Hatfield MSS. 75, f. 15, Original, signed. Dec. 4, 1599.

[2] Bancroft to Cecil. Hatfield MSS. 75, f. 19, holograph. Dec. 6, 1599.

[3] Dr. Edward Stanhope's letter of Dec. 29, gives these details.

[4] S. P. Dom. Eliz. 273, no. 55, Dec. 25, 1599.

mark. Trouble had long been brewing.[1] Among the privateers and pirates who swarmed in the North Sea and the English Channel were, of course, many Englishmen, who had not infrequently plundered Danish ships or raided the shores of Jutland. As was also inevitable, in course of time, some of them had been caught by the Danes and hanged after a good deal of maltreatment, which sent their friends to the English Privy Council for redress, urging that the men executed had been privateers, not pirates, and that the refusal of the Danes to recognise the English letters of marque was nothing short of a direct insult to England. Then the quarrels of the fishermen of the two nations, who went trawling in each others' waters, had already given rise to disputes between the two governments, as it was later to cause trouble between England and Holland. Both insisted on the right to make catches of fish out of a school wherever they encountered it, even when within a stone's throw of the other's shores, where the people were waiting with nets and already counting their good fortune at seeing the shoal headed toward them. Then the English Muscovy Company had grievances against the Danish authorities on the score of excessive tolls for allowing their ships to pass through the Sund, the narrow strait at the north of Jutland between the Baltic and the German Ocean. Nor were rumours wanting that the Danes meant to close it altogether to navigation. There had already been, in 1598, a futile attempt at a treaty,[2] and since then matters had grown worse instead of better. Bancroft quickly perceived that it was something in the nature of a forlorn hope that he was called to lead, and one for which his qualifications were of the slightest. "May it please your honor," he wrote to Cecil on April 4, "I doe most hartely in-

[1] On the state of affairs at this time between England and Denmark, the following references may be useful in the lack of secondary authority. Cotton MSS. Nero B, III, IV, V, and Galba E, I; the entire volumes. S. P. Dom. Eliz. 271, no. 106, (July 21, 1599); S. P. Dom. Eliz. 274, no. 86, (March 1600); *Venetian Calendar*, IX, no. 883, (May, 1600). Elizabeth's formal complaint to Denmark of Feb. 1600, is in Rymer, *Foedera*, XVI, 395. Copies of the treaties between England and Denmark from the time of Henry VI to 1600 are in the Manuscripts of the Marquis of Bath. A commission to hear the complaints of the subjects of the King of Denmark is in the Patent Rolls, 41 Eliz. part. 19. A petition for the recovery of £7000 damages sustained from the Danes by English merchants is in S. P. Dom. Eliz. 276, no. 5.

[2] See Rymer, *Foedera*, XVI, 352, 354, 355. S. P. Dom. Eliz. 267, no. 9; 268, no. 18; S. P. Dom. Eliz. Addenda, 33, no. 97.

treat yow that eyther the Master of the Requests, Mr. Herbert, or Mr. Dunne or Mr. Dr. Crompton, accordinge to the last determination of the Lords, may be one of this intended Comission. Putt them all together and theyr excuses cannot be aunswereable to myne. I have a tertian ague whereof I have had five fitts: I see the charge partly imposed upon me and which otherwise I must under goe to be so great, as that it will make me a right puritanis Bishop: that is *viis et modis* worth 100d. My experience in such causes as are to be dealt in is nothing at all: and although Mr. Dr. Perkins be a man of very many good partes yet consideringe that this Embassage is directed for the conclusion of many former treatyes, as well by letter, as other former Embassages, I doe hold it most necessarye that a grounded civill lawyer be ioyned with us. Otherwise seeinge excuses are so well accepted, viz. I am not yet recompensed for my former travayles; he is Deane of the Arches (which may and ofte hath been supplyed by a substitute;) my wife (I thinke) will runne madde: I shall loose some of my clientes, etc. Why may not I say, the premises considered, that better it were for me to take Phisicke in the Tower then by undertakinge this iourneye without sufficient Colleagues, to hazard my life: or if not so, my creditt with her Ma^tie w^ch I doe rate at as greate a price. I doubt not but the Kinge of Denmarke will send both grave and learned men: and it concerneth her Majesty's honor and the dignitye of the Realme, besides the negotiation, to have them matched in some reasonable sorte. In good faith, I doe thinke that the very bruite that eyther Dr. Rogers or Dr. Fletcher shold be appointed for this purpose, hath brought me one fitt more then otherwise I shold have had, but sure I am that much it hath troubled me. I can say some parte of S. Pawles epistles by harte: but that will not serve to incounter in this case so much as with Bartholus. And rather then I will be thrust over withowt sufficient assistance, I will certainly acquaint her Majestie with as much as here I have written except your Honor say I shall not: and yet therein although I am wholy at your comandement, I doubt (i. e. I fear lest) I shall prove wilfull. I doe therefore againe most hartelie or humbly or how yow liste intreate yow by your Honor, by your wisdome, and by your love towardes me as is before mentioned. My servant shall expect your pleasure concerninge the plate. And so beinge in bed expec-

tinge for a fitt, the sixt in nomber, I committ your Honor unto the tuition of allmighty god.'' [1]

But when he met Cecil he found that there was more in the wind than the settling of fishing rights and fees for passing through the Sund. James VI of Scotland had married the daughter of the Danish King, had maintained with his father-in-law the most amicable relations, and, being determined to succeed to the English throne, was seeking aid wherever he could get it. Denmark was at that time a state of importance, having a good deal of military prestige, which would have made it no mean ally. During the summer of 1598 and the year 1599, Cecil's correspondents in Flanders kept reporting urgently the necessity for watching Denmark.[2] James VI was certainly negotiating there for a body of armed men, who, under the King's brother, a lusty young fellow, would do wonders in England. The excuse for hostilities would be found in the demand for the payment of an old tribute which had long been discontinued, and on its refusal war would be declared, for whose prosecution the aid of the great French house of Lorraine, the old time supporters of Mary Stuart, had been enlisted. Elizabeth violently disapproved all James's efforts to ensure his accession. Cecil wished James to believe that he could attain his wish only by placing himself unreservedly in Cecil's hands. Bancroft was also ready to support the succession of the Scotch monarch and was, in fact, the only man who could be trusted with such a delicate and secret mission as this was to be, for it was a secret within a secret.

Convinced, though still unwilling, he made ready for the voyage. ''May it please your Honor,'' he wrote to Cecil with that buoyancy and humour which never deserted him, even when, as we have seen, he was in bed awaiting fit the sixth, ''I am ready for ye iorney. only some litle wantes remayne. Wee haue as yet neither instructions nor money. Besides her Majestie's hand must be had for the plate. Mr. Dr. Parkins is abowt our pasporte. I wold be glad to

[1] Hatfield MSS. 78, f. 33, Original, signed. April 4, 1600. The plate mentioned may have been the customary present of an ambassador which Bancroft would have to make in Denmark and which could not be carried out of England without the Queen's permission.

[2] Flanders Correspondence. June 4-14, 1598. Petit to Halins. These letters continue to report the same plans during the following year. The negotiations with Denmark in 1598 could not therefore have been upon this point or must have been unsuccessful. See Flanders Correspondence. (R. O.) Aug. 18-28, 1599: July 8-18, 1599. ''J. B.'' to Cecil.

knowe whether it be your pleasure that I come to ye Courte before I goe: I am thus bold to troble yow, because yow haue not spared me from as greate a comberance."[1] A little more than a week later, he sailed from Gravesend.[2] "This day in ye afternoone wee falle from Gravesend downeward. The wynd is directly opposite but tyde it, wee must. Your Honor will not easilye beleeue how cuning a sea man I am likely to prove: being one yt will shewe his stomack as playnely as the best of them. Your honorably (sic) kindnes towards me maketh me to write thus familiarly unto yow: or else it may be yt my title of her Majesty's Embass: puttethe some spirite into me. Howsoever I am and ever wilbe most assured to your honor. for ye olde rule amongst ye laye statesmen in Court: yt they shuld not trust a priest, had then place, when the clergye helde of a forraigne prince and sovereighty viz. the pope: and so it is to be limited."

Early in May, he arrived with Doctors Perkins and Swale at Embden, then a bustling sea port, which foreign merchants, especially the English cloth traders, used for their commerce with the Hanseatic League. The Danish Commissioners, however, declared that their power to treat had expired, and that they must return for new credentials,[3] all of which was perhaps a ruse to conceal their reference to their King of Bancroft's confidential communication. When they returned, time was wasted in delays, in fruitless conversations, and in that parade and ceremony which formed so large a part of seventeenth century diplomacy. In the end, Bancroft and his fellow ambassadors found themselves, in July, back in London, with no results of importance to show upon the pirates or fishing rights or the control of the Sund. [4] How the secret matters fared we do not know, but nothing more was heard of James VI's alliances with the Continent. The Bishop brought Cecil a great "vatt of Rhenish wynne conteyninge six score gallons,"[5] and found his purse lightened by £900 which he had spent in addition to his allowance as ambassador.[6]

[1] Hatfield MSS. 78, f. 48, April 9, 1600. Holograph.

[2] Hatfield MSS. 78, f. 72, April 18, 1600. Holograph, Bancroft to Cecil.

[3] Letters of the Danish Commissioners to Elizabeth, May 8, 1600. Cotton MSS. Nero, B. V, f. 16, printed in Rymer, *Foedera*, XVI, 396.

[4] Lansdowne MSS. 983, f. 94. The negotiations were resumed in 1602. Cotton MSS. Caligula, E.

[5] Hatfield MSS. 251, f. 29, Bancroft to Cecil. July 26, 1600.

[6] Hatfield MSS. 108, f. 40. Compare the expenses of the Duke of Rutland's voyage to Denmark in

He found awaiting him on his return, the task of suppressing a book written by one Hayward. It had been printed in February and a thousand copies had been sold, while a new edition of fifteen hundred was in press.[1] This sale was what attracted the attention of the Government, for it could not believe that mere literature would sell at such a rate. Apparently the book was innocent enough, purporting to be a simple narrative of the reign of Henry IV, but into the mouths of the characters had been put various utterances questioning the legality of oaths to a sovereign, showing that a man's allegiance was due to the body politic and not to the King in person, which, together with a set of reasons demonstrating the lawfulness of deposing a sovereign, seemed to have especial reference to the Earl of Essex and his present plight, a suspicion which drew color from the great sale of the book and from the statement in its preface that it was meant to afford a precept and pattern for private direction and for matters of state, and to instruct young men more shortly and old men more fully. Harsnet, who was Bancroft's chaplain, had licensed it on the assurance of the printer that it was only "a tale of history helped by witt," was now in terror lest he should be imprisoned, and begged Coke to have mercy upon his poverty and his wife's illness.[2] He was spared, but the authors and the printers went to jail and the books were ferretted out with great diligence by Bancroft's pursuivants and burnt in the yard of Fulham Palace.

Meanwhile, the Earl of Essex had been far from idle, for, although confined in his own house, there was no prohibition upon his receiving friends, and Cecil soon suspected that more than merry jests went round the hospitable board that was crowded each day at dinner. Far from interfering with his schemes, the keen-eyed secretary saw that Essex would ruin himself by his own rashness, if only given a chance, and in truth this soon came to pass. Tired of inaction, and suspecting, from the bearing of the Cecil party toward him, that much was known of his secret machinations, he came to the conclusion that, if he did not act quickly, he would soon be powerless to act at all. On the morning of February 7, 1600-01, he sallied forth from Essex House, accompanied by a crowd of

1602-03 in the Hist. MSS. Com. *Report on the Rutland Papers*, IV, 444, 447. (London, 1905.)

[1] Examination of Wolfe, the Printer. S. P. Dom. Eliz. 275, no. 28. July 13, 1600.

[2] S. P. Dom. Eliz. 275, no. 31, July 20, 1600. Harsnet to Coke.

gentlemen, and marched with drawn swords along the Strand and up Ludgate Hill into St. Paul's Churchyard. He had expected that all London would rise as one man to join him, and, indeed, not a few had tagged on behind his procession. The Government, however, acted with amazing promptness and, in an incredibly short space of time, had proclaimed the Earl a traitor and ordered out the train bands, which news, bruited abroad with equal celerity, rapidly thinned the ranks of the Earl's followers. For some hours, however, he and his gentlemen paced the streets, but, seeing nothing but shuttered windows and hoping to find a more cordial reception on the other side of the London gates, he resolved to retreat. Down he marched to the Ludgate and, to his surprise, found it not only closed, but well defended by a band of men-at-arms hastily gathered by Bancroft.[1] The prelate had seen the Earl and his company enter, had grasped the situation, and had also perceived that the Ludgate would be the strategic point, for it barred Essex's retreat by land. Some hundred gallants, equipped with rapiers, were no match for a stout gate defended by a score of men with fourteen-foot pikes, and, after some scrimmage, the Earl drew off. Proceeding to the Thames, he took boats for Essex House, where, on landing, he was arrested by the Privy Council forces, which had easily arrived before him. Had he not been checked at Ludgate and forced to return by water, he would not have been caught red-handed, and might indeed have escaped into the country. Bancroft now hoped that the indiscretion of the preachers would be forgotten.

A week later, on Sunday, there was to be a great sermon at Paul's Cross against the Earl and his practices, for which occasion Bancroft had been personally priming his preachers.[2] So great was the fear of disorder that the Lord Mayor contemplated keeping five hundred armed men all day in the Churchyard,[3] but there was no

[1] Bacon's official account runs: "Essex made on by land towards Ludgate, where being resisted by a company of pikemen and other forces gathered together by the wise and diligent care of the Bishop of London, and commanded by Sir John Luson, and yet attempting to clear the passage, he was with no great difficulty repulsed." (Spedding, *Life and Letters of Bacon*, II, 272.) A very interesting account is in S. P. Dom. 278, no. 49, and 50, Feb. 11, 1600-01. Vincent Hussey to ——. This agrees with Bacon as to the value of Bancroft's aid.

[2] His directions are in Jesus College, MSS., Oxon. 83, f. 20.

[3] Bancroft to Cecil, Hatfield MSS. 76, f. 68, Holograph. Feb. 14, 1600-01. It is pretty clearly established that what the preachers delivered was not literally true, and exaggerated Essex's connection with Tyrone and with the Pope. How far Bancroft, and not Cecil, is responsible for this

cause for such excessive precautions. The preacher delivered his discourse as instructed, and "the applause for her Majesty's deliverance from the mischeefe intended (was) exceedinge lowde and ioyouse."[1] However, Bancroft was not yet finished with the Earl and the printers. "Since I came home from ye courte," he wrote on February 27, to Cecil, "I am informed that a fellowe goeth abowt the streete selling the Ballets (Ballads) (whereof here is a copie inclosed) and giveth it owt yt the Countess of Essex hath made it, wich procureth many to buye it. I haue sent diverse up and downe the Citie to see if they can meete with him. I am tolde yt the ballat was made halfe a yeare since, and upon some other occation, and yt the knave to make his gayne doth affirme as is afore mentioned. I haue sent for the Wardens of the Stationers and will take as quicke a course as I can. These villanouse printers do trouble more than I will writ of: lest her Majestie shuld ascribe any fault to me."[2] That he should have had so many men ready at a moment's notice to do his bidding, shows the great promptness with which Bancroft could act, and the admirable system he had in all administrative matters.

Now came into prominence certain important negotiations which concerned vitally the relations of the English Catholics to each other, to the State, to the Established Church, and to the Pope, and before a task of such difficulty and complexity, the Earl of Essex, the Danish Embassy, and the London printers all faded into insignificance. So complicated was this new issue, moreover, that a good deal of space will be necessary to give us a sufficient grasp of it, to enable us to understand the Bishop's problem, and his solution of it.

deviation, and how far either was aware at the time that it was a deviation, is not determinable. Very likely at the moment both of them believed those wild tales.

[1] Bancroft to Cecil. Hatfield MSS. 76, f. 75. Holograph. Feb. 15, 1600-01. The text was, "Then David's men sware unto hym, saying thow shalt go no more owt with us to battel lest thow quench the light of Israel."

[2] Hatfield MSS. 77, f. 1. Holograph.

CHAPTER VII

THE CATHOLIC PROBLEM IN 1600

In the year 1600 there was not to be found in the length and breadth of England one loyal Catholic Englishman. No one could obey the statutes of the realm and at the same time maintain a sincere and true allegiance to the Pope and to the tenets of the Roman Catholic faith. He might believe and proclaim with no uncertain voice that Elizabeth was the rightful possessor of the throne; he might entertain no idea whatever of injuring either the royal person or title; and yet he would not be a loyal subject of the realm until he had conformed to the religion established by law, had attended its services, had observed its ceremonies, and had received the communion according to its ritual. Furthermore, even if he occasionally conformed in a burst of enthusiastic loyalty, he broke the law when he next attended mass; he became a felon under the law of 1585, in assisting a Jesuit or a priest; by studying for the priesthood abroad when it was impossible to qualify for the office in England, he became a traitor unless he took, immediately on his return, the oath of supremacy in words which no Catholic could consistently use. If he contributed money for any Catholic purpose at home or abroad, he became guilty of praemunire, and ought accordingly to forfeit all his property and be imprisoned during pleasure. And, when in obedience to the dictates of his conscience, he abstained from attendance at church and became a recusant, he was required by law (1593) to remain within five miles of his home. It was beyond the bounds of possibility for anyone who observed the barest essentials of Catholic faith to be a law-abiding citizen.

Nevertheless, in that same year, 1600, there existed in nearly all parts of England, loyal citizens who acknowledged the supremacy of the Pope, and, despite the fact that every priest was liable to the penalties of high treason by the mere fact of his presence within the realm, regularly ordained clergy of the Roman Catholic Church were to be found celebrating mass in nearly all

parts of England. A secret road between the ports and the interior for the travel of priests and Jesuits, a postal service for the expediting of news to the different shires of England and to Europe, means of forwarding and distributing contributions of money, all existed in the face of the law that no Catholic should travel five miles from his abode. In many counties the justices of the peace and other local officers, being themselves secret Catholics, connived at infractions of the law. On the Continent, at Douay, at Valladolid, at Rome, and elsewhere, were colleges especially equipped for the education of young Englishmen, who were to labour on the home mission. Although the penalties of treason awaited them on setting foot upon English soil, seminary priests did come. In fact, they arrived in such numbers that they had formed, under the leadership of the Jesuits, an organisation; had divided England into districts; had assigned men to permanent cures, established refuges, hiding places, secret chapels, and had even managed to provide a regular fund of money in the nature of a tithe, contributed by laymen at stated intervals to maintain the workers in the field. Orders came from Rome and were obeyed as in any other part of the Catholic world, and the advice of the papal or Jesuit central authorities was sought and obtained for nearly every important step. Legally not a Catholic existed in England, and yet, despite the penal laws, despite the fines, the burnings, hangings, and threats, a widely ramifying organisation of secular clergy still existed to which all laymen looked for guidance.

Bancroft saw with great clearness that the existence of this organisation proved conclusively that the penal legislation had not solved the problem either of suppressing the priests or of compelling the laity to enter the Established Church. The policy of Elizabeth had been one of terrorism, and it had failed to do more than lessen the number of open recusants. Plots and schemings, the hearing of masses, christenings, marriages, and burials had gone on in spite of the laws and under the very noses of the officials whose duty it was to prevent them. It was clear enough that the law was evaded, but the statesmen of the time had not then grasped the fact that the real reason lay less in the theory on which the laws were constructed than in the impossibility of coercing so large a body of men by the ineffective means of administration then at

the disposal of the Government. It became doubly difficult when that body of men was believed to be so large that the Government was afraid of arousing internecine strife by too strict a regard to the letter of the statutes.

How large that number was is not known with any exactness, and probably never will be. Contemporary guesses at the number of lay Catholics—and none of our informants can have had enough actual experience to give his statements the weight of personal observation—ranged all the way from an overwhelming majority of the population to about one-fourth or one-fifth. An equally violent disagreement appears in regard to the number of priests and Jesuits, the estimates running from two or three hundred to five or six hundred.[1] One piece of evidence is forthcoming which seems trustworthy, and which, added to certain generally accepted facts, may lead to a fairly definite conclusion. By the unanimous voice of all parties there were more priests in England after the accession of James I than there had been during the stormier times of Elizabeth. There were doubtless more in 1610 than in 1603, for Blackwell and Birkhead, the official heads of the organisation, complained often that the young priests from the Seminaries were forwarded to them faster than they could be safely located.[2] There is no good evidence to show that any considerable number of priests left England voluntarily or otherwise between 1603 and 1612[3] in consequence of a severe enforcement of the penal laws, though very likely many went into hiding places and retreats, which, however unknown to the State, were perfectly familiar to the Catholic leaders. Between 1608 and 1611, the secular priests made a great attempt to ascertain the sentiments of every priest in England upon the issue between themselves and the Jesuits, and certainly the secular leaders should have had, in 1612, a pretty accurate idea of the number of priests within the realm. Now, in the light of these conclusions, the words of Father Mush, one of the best informed of all the secular leaders, who possessed an excellent *personal* knowledge of the whole north of England where the priests were most numerous, ought to have great weight. Writing to Father More, the secret secular agent in Rome, on May 4, 1612, he

[1] See Note A at end of this chapter.

[2] Tierney's *Dodd's Church History of England*, V, 8 v. Cited herein as "Tierney."

[3] The evidence for this conclusion will be found in a later chapter.

says: "You dream of five hundred priests to be in England: truly there is not three hundred." On the monster petition sent to Rome in that year were inscribed only one hundred forty-four names.[1] This statement would have so damaged the Catholic cause in England, if it had become generally known, that it is hardly likely to be a fabrication. The larger figures so often seen may be explained by remembering, first, the desire of all Catholics to make the total large, in order to encourage the foreign governments to aid them, to embolden their own party at home and abroad, and to deter the English government from adopting harsh measures of repression; and secondly, that, until the secular agitation, there had never been any attempt to take a census of the priests, everyone having been forced to guess at the number. It may be said, therefore, with some reasonable hope of its being demonstrated by subsequent research, that there were in England in 1600 about two hundred priests of all descriptions, and that, after the accession of James I, the number gradually increased to about three hundred, or perhaps, three hundred and fifty.

Our statistics of the laity are much less precise, but we find, however, that some sixteen laymen were considered liable, in 1603, to the maximum fine of twenty pounds a month;[2] and that, in February, 1604, the judges reported 6126 recusants under indictment.[3]

The information was received with a general outcry over the unexpected increase; and yet, double or treble this figure could not be considered by the most uncritical statistician as furnishing a basis for the statements of ambassadors and others that the Catholics formed the majority of a population of between four and five

[1] Tierney, V, 50, note. Quoted from the original letter. It will be noted how the figure given in Bagshaw's *True Relation*, of 300 priests who had come to England at that date, bears out this statement by Mush, and, when the allowance for those that had been executed or apostatised is made, the figure 200, reached by another method in the text, again appears. "We have nine score names for Bishops," wrote the Archpriest, on July 20, 1610, "which is three parts, (i. e. three-fourths) of the whole clergy." His estimate of the whole was thus about 250. Harrington estimated the number at 240. (Tierney, V, 50, note.)

[2] Gardiner, *History of England*, I, 96.

[3] Tierney, IV, xciii. where the whole report is printed. On this subject, as with the priests, the wildest variation in numbers exists. See note B at end of chapter. It is noticeable that the finding of the judges was more than twenty-five per cent. smaller than that of the Bishops a year earlier.

THE DISTRIBUTION OF CATHOLIC LAYMEN, 1603

The shading represents the relative density of population. The figures show approximately what proportion of the population were open or secret Catholics in 1603. (*From a sketch by the Author.*)

millions, nor could it arouse the fear which seems to have made all Protestant England tremble for its safety. Whether an under or an over estimate, it certainly brings us no nearer the solution of the problem as to how many lay Catholics there were in England.

What in reality influenced the ambassadors' judgment and made the fathers of Protestant families quake by their firesides, was that unknown quantity, the number of secret Catholics, who outwardly conformed to the rites of the Established Church. To the ardent supporter of the Spanish claims, as well as to the timorous Protestant, their number was as the sands on the seashore. The very severity of the Elizabethan penal laws, the haste made in 1604 to reënact them, the exceptional character of the statutes passed after the discovery of the Gunpowder Plot, all demonstrate vividly how considerable their numbers were supposed to be. As a matter of fact, while perhaps a majority of the population—chiefly of the lower strata—would have returned to the old ritual without much mental distress, the number of men who were actively discontented with the English Church itself, and ready to rise in arms to reestablish Catholicism under a Spanish Prince, would probably not have reached a considerable total. What the real figure was no one then knew, and no one ever will know, but it was a sum to conjure with.

The power and audacity of the party was demonstrated and verisimilitude lent to the wild rumors of its size by the armed resistance which the Catholics in one section or another opposed to the attempts of the State to enforce the penal laws. Throughout the North and West of England, prisoners were rescued from the pursuivants and sheriffs in broad daylight, and the unfortunate officers were left dead on the highway.[1] In 1599, the officers of the Council of the North, furnished with warrants from that body and from the High Commission, were met by a party of armed men and told that, whatever their number or authority, they should be killed before they apprehended any of Mr. Cholmley's people.

[1] Examples besides those cited are plentiful. See: S. P. Dom. Eliz. 271, n. 9. Ferne to Cecil, June 14, 1599: Hatfield MSS. 74, f. 98. Bishop of Chester to Cecil, Nov. 23, 1599; S. P. Dom. 275, no. 64. Examination of Geo. Aynsworth Sept. 9, 1600; S. P. Dom. 275, No. 102. Bishop of Chester and Justices of Peace to the Council, Oct. 28, 1600; S. P. Dom. 275, n. 115. Examination of Hen. Breres, Nov. 9, 1600; Hatfield MSS., 110, f. 52, & 80; and Foley, *Records*. IV, 452, March 1, 1607.

"And yet Cholmley is a Justice of the Peace."[1] Eight years later, in May, 1607, the sheriff's officers went out to a place about forty miles beyond the city of York, "and shewing their writs and authority from the Kinge, were neuertheless by fower and fortie men well weaponed, and uppon a whoope or two given gathered together, resisted and pursued, reviled and called knaves, villaines, Roagues, and such like tearmes. And being peaceably required, in his majestie's name and by virtue of their writt and authority aforesaid, to desist from their such behavior, answeare was made that they cared not for the Kinge nor his authority, and so persisted in their Course . . . so that these men live like outlawes or rather rebells, having divers times before resisted the Kinges authority and Officers and hurt many of them."[2]

In the spring of 1602, Henry Ponod, a Catholic gentleman, was stopped by pursuivants in a London street; when they refused to produce a warrant for his arrest, he whipped out his sword and mortally wounded one of them. He "defended himself most valiantly against many prentices that came with halberts to assist the pursuivants and had not his sword broken, he had beaten the whole street before him. Having wounded and hurt many and being himself wounded and disarmed, he yielded and was carried before the Chief Justice."[3] If this could happen in London in broad daylight, what was to be expected in the country at large? About this same time, a Catholic gentleman of Lancashire and some friends of his were conveying a disguised priest to a place of safety, and having travelled far that day, arrived after nightfall at the house of one of his friends. The whole party by the narrowest and luckiest chance escaped death, for had not one of their voices been recognised, they would have been shot down as they rode up to the door. On gaining admittance, they found the house a practical fortress, defended by resolute men, who had believed them to be a party of pursuivants or a sheriff's posse.

The number of Catholics, both open and secret, together with their boldness and power of resistance, depended entirely, thought Bancroft and Cecil, upon the attitude of the local gentry and

[1] S. P. Dom. Eliz. 270, no. 99. John Ferne to Cecil, April 27, 1599.

[2] Hatfield MSS., 121, f. 11. May 25, 1607. Alex. Serle to James Hudson. Original, signed.

[3] Foley, *Jesuit Records*, I, 29. Father Rivers to Father Parsons, April 28, 1602.

nobility. "Your Ldshp knoweth," wrote Bancroft,[1] "that the people are comonly carried away by gentlemen Recusants, landlords, and some other ringleaders of that sorte: so as the winninge or the punishinge of one or two of them is a reclayminge or a kind of bridlinge of many that doe depend uppon them." Cecil, for his part, declared: "I would plainly proue this, that neither ye Papists number equall their report, nor ye Puritans would euer fill up a long register, if ye ministers and Recusants were not backed, flattered and encouraged by Gentlemen in Countries that make a good reason for it, if private evil may justifie such formes, as keep oyle still in yt Lampe."[2] There is evidence in plenty still extant to demonstrate the truth of this conclusion.

The feudal relation which still obtained in large degree between the nobles and their retainers and dependents, between the great landlord and his tenants, was strong in all parts of England. The habit of obedience, of deference, and of looking to the lord for leadership, was not to be cast aside like a threadbare cloak at the behests of the central Government. Where the great mass of people were quite indifferent to religious aspirations, and were, moreover, ignorant, and therefore unfitted to judge for themselves, they would naturally embrace that view which was pressed upon them by the local authorities.[3] If the gentry of a neighbourhood were Puritan, presented nonconformist clergy to the vicarages and forced the people to go to church, naturally the people would become imbued with Puritanical notions under the belief that they were receiving the ideas most approved at London. They were informed that a change of religion had been made, and, knowing nothing of theological and ritualistic distinctions, were unable to tell more about the new service than that it was different from the

[1] S. P. Dom. Jac. I, XIII, n. 25. March 12, 1604-5. In his Sermon he quoted Calvin as of a similar opinion. "None would ever have opened their mouths in this sort, except the base and raskally sort of men had seen that thereby they should gratifie some men in Authoritie and were to be rewarded. For their evil speaking and lies would soon have died, if they were not nourished by those for whose Pleasure they were published."

[2] Jan. 24, 1604-5. Cranbourn to Lake. S. P. Dom. Jac. I, XII, no. 28.

[3] This the Puritans also saw, but usually forgot it applied as well to their own proselytism. "When the people be so ignorant may not euerie Seminarie entise them as they list? and if euer the Papists shoulde set on foote their longed hope, alas how could the state trust them that were ignorant, that no conscience nor honestie could mooue them but rather the bellie." Iosias Nichols, *The Plea of the Innocent*, 202. (1602)

old. On the other hand, if the great nobleman were a Catholic, and supported a secret service at his mansion, at which he informed his tenants he desired their presence, the priest would find a goodly number awaiting his ministrations, and deriving from them the comfort which the old rites gave so fully to many a troubled soul.

In truth, the great mass of the people were forced by circumstances to believe what was told them and to rest content with it. All of the middle and lower classes laboured, either in the field or at a bench, from fourteen to sixteen hours daily under the stipulations of the Elizabethan labour statutes, and, having finished their long day of toil, were glad to retire to rest. How could a knowledge even of the rudiments of reading English be expected of such a man, and if he possessed so much, would he be likely to spend the evening hours painfully spelling out, by the light of a single and expensive tallow dip, some theological treatise? Even if he could get so far, what would his opinion be worth, when he had reached it? Dimly conscious of this, he believed what he was told by his betters and was satisfied with it, unless it went too much against tradition and habit. Moreover, a secret and even an open Catholicism was fostered among the great peers and peeresses like the Duke of Norfolk, the Countess of Arundel, and the Earl of Worcester, by the fact that, as peers, they were not required to take the oath of supremacy or open their houses and estates for search by the pursuivants. In their case, therefore, the severest test, and in fact the only one upon which Elizabeth was prepared to insist, had been dispensed with. All this could not fail to influence the rustic, who felt the force of the old tradition still flowing in his veins, and looked to the mass as the symbol of the religion in which his fathers had lived and died. An enormous legal power had been placed in the hands of the gentry, who used it, naturally enough, to further interests of the creed they had most at heart. Local government had been entrusted by Elizabeth to the local gentry, acting either as justices of the peace, or as special commissioners under the Privy Council. Nearly every law in the statute book, ecclesiastical as well as secular, depended upon them for enforcement. They could, therefore, relieve those who joined their party of the weight of the penalties or could, on the other hand, by the execution of the act easily crush those who resisted them. The labour statutes were, in many cases, not less oppressive

than the religious acts, and were perhaps more feared by the laity. In short, the religion professed in a particular shire depended more upon the beliefs of the gentry than upon the working of the leaven of Protestantism among the masses of the people.

John Tunstead was "made bayliffe of the highe peake (of Derbyshire) which is a great quarter of the shyer and is an office of such creditt thear by reason that few Justices doo inhabitt yt wyld country that he mey comand all yt hundred, nether is thear any parte of Derbyshyer so fraughted with recusants and semynaries as yt is, for by probable conjecture thear are nier iiic (i. e. 300) recusants of one sorte and other in yt one parte of the shyer."[1] The Bishop of Carlisle declared that there was only one trustworthy man in his whole diocese; and that several "notable seminaries and Jesuits . . . pass and repass within my diocese without controlment, such is the careless or partial dealing of some of our Justices."[2] One part of the diocese of Chester, reported the Bishop, was full of seminary priests and gentlemen recusants that harbour them: "they countenance all lewd practices and despise authority; untill they be bridled and brought in by strong hand, there is no hope of reformation in these parts."[3] In the prosecution of two recusants in Durham, it became necessary to find the value of their property. The Sheriff impanelled a jury, but the Commissioners, who were local gentry, accepted and employed another jury, which found that the property of the recusants under trial was not worth six pounds a year, and therefore could not be confiscated by the crown. Yet it was notorious that both had yearly incomes of two hundred marks.[4] The Bishop of Durham was eager to enforce the law upon Nicholas Tempest, "an infamous recusant" and "as dangerous a man as any the worst subject in these parts," but he was compelled to admit that "nothing in Newcastle can prevail against him, being both in affinity and consanguinity with both factions there." "That town," went on the prelate, "is of great privilege and of small trust in these affairs; upon my word, I am sorry and ashamed to say it." Nothing less than a special Commission from London with great powers would be of any avail. "I speak by experience,"

[1] S. P. Dom. Eliz. 241. no. 25. Jan. 25, 1591-2.

[2] Hatfield MSS. 53, f. 28, July 11, 1597.

[3] S. P. Dom. Eliz. 274, n. 25, Jan. 31, 1599-1600.

[4] Hatfield MSS. 39, f. 110. George Graunt to the Bishop of Durham. April 10, 1596.

he added. When such was the condition of affairs during the "severe" administration of Elizabeth, what was it to be under the lenient rule of the early years of James I?

Thus stood the Catholic problem in the year 1600. Even without definite knowledge of the number of professed or of secret Catholics, within the realm, there could be no doubt in the minds of Bancroft and Cecil, that the penal laws were, in fact, inoperative in those parts of England for which they were especially intended. Where the Protestants were strong and the Catholics weak, as in the East and South, the laws were enforced; but, in the North and West, and in the Midlands, where the Catholics were either in the majority or of nearly equal strength, where many of the local officials abetted them, and where the laity were ready to offer armed resistance to the execution of the law, it was idle to suppose that the penal statutes possessed anything more than a moral sanction. Thanks to the aid of the local gentry, an organised body of Catholic priests existed in the realm, performing more or less secretly, according to the district they were in, the rites of the Romish Church. Here, then, from the government point of view, was the real problem. What was to be done with this new extra-legal organisation which did exist despite laws and threats, fines and executions? It was perfectly evident that the Catholics could not be expelled from the realm without a civil war. It was equally clear that measures, which, on paper, were endowed with crushing force, had, in practice, failed to stamp out Catholicism.

Bancroft had by this time grasped clearly what no one seems to have seen before, that Catholicism must be distinguished from Catholics, and that an organisation of priests which could neither be expelled nor crushed, must be in some way recognised by the State, and in some measure tolerated. The Elizabethan policy had treated the adherents of that faith as a nest of vipers to be stamped out or expelled without mercy and without question; as a set of traitorous scoundrels who *could* have no other purpose than the overthrow of the temporal State. Bancroft's policy was to build on the fact, demonstrated over and over again since 1588 to the dullest intellect and to the most prejudiced eyes, that the laity and priesthood, as a whole, were loyal to Elizabeth, and upon the fact, also clear enough to the initiated, that the Catholic priests, supported by the laity, were intent chiefly upon the performance of

the ordinary duties of Catholic parish clergy. This was the vital problem which demanded solution in 1600, and in it, two points of interest appear for us: first,—how had this problem come to exist in the year 1600, and second,—what was to be the relation of this new Catholic organisation to the State and to the Church: what was to be the nature of the recognition accorded it, should it be open toleration, or an extension of that secret connivance which Elizabeth had used effectually at crises in the past? Of all the work Bancroft performed none perhaps required greater finesse and delicacy than his solution of the Catholic problem, none displayed so thoroughly his tact as a diplomat, his foresight as a statesman, and his great originality in solving administrative difficulties so that the outcome would be not merely logical, but workable.

When the hopes of the English Catholics of reinstating Catholicism by force of arms had been crushed with the defeat of the Rising of the North in 1569, when the Duke of Norfolk had expiated his fault upon the scaffold, the idea of an English Catholic mission, which William Allen had already broached in 1568, to keep alive in Catholic breasts the spark of loyalty to Rome, assumed new importance. The young Englishmen trained abroad as missioners seemed then to be the only tie still binding the Catholic laity to Rome.[1] Allen and his Seminarists, however, though first on the ground, felt themselves too weak to work unaided, and requested the assistance of the Jesuits, who were already powerful and of wide repute. Thus it was that Campion and Parsons landed in England on that ill-fated expedition which aroused in England a new terror of Catholic domination, and caused the passage of the penal laws. These fears were greatly enhanced by the plots on behalf of Mary Stuart, and by the lively expectation of aid from Spain. The death of Mary Stuart at the block was, however, a fatal blow to the Catholic hopes of reinstating their faith under a princess of the Tudor blood, and, when the alternative of Elizabeth or a Spanish or French prince or princess was presented to them, the majority recoiled in horror. The death of Mary Stuart made

[1] This section of the story will be found in the lives of Allen and Campion, and in the *Douay Diaries*. Mr. Law's Introduction to his *Jesuits and Seculars* is a brief but excellent survey of the subject treated in this and the following chapter. The reader should also consult the able articles by Father J. H. Pollen, S. J. in *The Month*, 1899-1908.

the English Catholics loyal subjects of Elizabeth.[1] Then came the great Armada with its stately passage up the English Channel, its crushing overthrow at Gravesend, and its precipitate flight round the rocky shores of the Hebrides. As the news arrived of its defeat, flight, and destruction, the English Catholics realised that among those broken timbers and battered hulks lay the wreck of their hopes of substituting Catholicism for Protestantism in England during Elizabeth's life.[2] The defeat of the Armada reconciled the English Catholics to the existence of the Established Church, and turned their thoughts to the devising of some settlement which should provide for them a sort of extra-legal toleration. Naturally, the full fruition of the ideas and conclusions sown in those memorable years—1587 and 1588—did not appear for more than a decade, but the leaven was at that time dispersed within the lump of Catholic discontent, and its working can always be traced, becoming, with the lapse of each succeeding year, more and more of a factor in the situation.

The renunciation, by the laity and by the secular clergy, of the design of conquering England by foreign arms, had turned their thoughts to the problem of administering the comforts of religion to the Catholic laity within the realm. As the number of priests grew larger, as the vigilance of the Government slackened in 1593 and 1594, the whole party began dimly to perceive the necessity of some sort of organisation or at least of organised effort. Previously, there had been so few priests and Jesuits in the realm and they had been either so closely watched or kept so busy with the details of political plots, that the very slightest and simplest contact with each other had been all that was feasible or advisable. Now, however, the situation was changed and for the coming thirty years, the one vital topic in Catholic history is that of organisation. Nowhere else is there such clear proof that the enforcement of the penal laws was not strict or crushing than in the fact that these priests, every one of whom was a traitor and self-condemned to death by setting foot on English soil, followed out the details of

[1] Sir Henry Neville writing to Cecil, says explicitly that the division between the seculars, opposed to conquest by a foreign power, and the Jesuits in favor of it, began at Mary's death. S. P. Dom. 271, no. 29, June 27, 1599. Watson, the secular, declared that it dated from 1586. *Archpriest Controversy*, I, 214.

[2] *The Copie of a Letter sent out of England to Don Bernardin Mendoza*, printed 1588, reprinted in 1746, is good evidence on this point.

their organisation as if there had been neither pursuivants nor jails, nor the headsman's axe, within a thousand miles.

The first attempts at once disclosed the fact that there were two parties among the clergy who were, by no means, in accord upon the form and object of this new design. The first point of difference to appear and the most natural, though not the most important, was the old hatred of the secular clergy for the regular orders, their fierce determination not to be ruled by Jesuits. Probably in the Wisbeach Stirs this motive was uppermost in creating the schism.[1] In the winter of 1594-5, Father Weston, a Jesuit, had proposed to his fellow prisoners in Wisbeach Castle what was ostensibly merely an organisation for the observance of religious rites. Part of the company signalised their approval of his plan by acceding to the rules of conduct he suggested and by electing him head of the organisation, while the rest expressed their unqualified dissent by refusing not only to observe the regulations but also to recognise the election of Weston, and its confirmation by Garnet, the Vice-Prefect of the English Jesuits. So bitter became the quarrel that the two parties refused to pray with each other, or even to eat in the same room. Each dipped his pen in gall, and slandered and vilified not only the other's attitude, but his character and past life. All the members of both parties in England and on the Continent were soon drawn into the strife. The Seculars still at large organised themselves in 1597 into two provinces, the North under Father Mush, the South under Father Colleton, and applied to Rome for a Bishop.[2] Then the disorder arising in the English Missionary College at Rome in the following year widened the chasm between

[1] C. Bagshaw's *True Relation,* reprinted by T. G. Law, in *Jesuits and Seculars,* (London, 1889) is the mildest and best account from the secular point of view, and seems to contain the essential truth. In his preface he states that the controversy was as to "whether it were meete and according to the auncient ecclesiasticall Discipline that a Iesuite should have the commaundement ouer secular priests." It should be carefully compared with the account by Father Weston to Father Manareus, Stonyhurst MSS. Anglia, A, II, March 27, 1598.

[2] The "Regulæ" are in Stonyhurst MSS. Anglia, A, II, no. 32 a copy in Parsons' handwriting with his annotations. Each "congregation or province" elected a "pater" and two assistants, who were to "hear, examine and determine" "vel per se vel ad plura confratrum suffragia, aut totam congregationem conuocando aut eorum vota per scriptum accipiendo quando causa erit grauis et ad totam sodalitatem pertinebit, neque a propriae congregationis sententia erit ulla appellatio ad aliam." (Art. iii.) In thus leaving final judgment to the votes of the assembled fathers and in the insistence upon the finality of their sentence, the rules were

the contending elements,[1] for the rector explained that the whole trouble was due to the headstrong and untamable nature of the English students, while his pupils, in their turn, asserted, with perhaps unnecessary passion, that it was engendered by the forcible attempts of the Jesuits to secure their adhesion to schemes for the conquest of England by the Spanish. The Jesuits were victorious, and secured control of the college. Ostensibly matters were now exactly where they were before, but by the vigorous writing and thinking of these two years, 1595-1597, the issues had been defined, the parties consolidated, and something approaching clarity imparted to their aims and ideals.

In 1597, appeared at Rome the request of the Seculars for a bishop with ordinary diocesan powers, a request which the Jesuits asserted was visionary and impracticable. The real issue which the request concealed was a difference in ideals between the two factions. The word "mission" stamps the whole enterprise with the mark at which the Jesuits had aimed. They had come to proselyte, to convert England, and bring her back to the Catholic fold by any means which might be consonant with the greater glory of God, as their famous motto ran, and, to that end, they had laboured for fifteen years to create this seminarist organisation. Theirs had been the brains, the money, the skill and daring which had accomplished the result and brought the Catholic cause to its flourishing condition. They regarded the seminarist priests primarily as agents for the collection and remission to headquarters of intelligence and money, and for the gaining of adherents to the scheme of altering the religion of the realm. They were indeed to say mass wherever they happened to be, and to see that the faithful were provided with the altar accessories and manuals of devotion necessary to keep the spark of religious enthusiasm glowing brightly, but these services were only the means to the greater end, and were chiefly intended to foster a militant Catholicism which should leap into the fray with vigour and unquench-

not unlike those of a Puritan classis. The rule concerning the alms fund only said that enough should be collected to support them all. (Art. viii.) There is some doubt whether this organization preceded or immediately followed the appointment of the Archpriest.

[1] See the narrative by Father Robert Chambers, an eye witness of many of the events, in Stonyhurst MSS., Anglia, A, II, no. 45: "Breuis narratio eorum (licet non omnium plurimorum tamen) quæ gesta sunt in collegio Anglicano, tempore tumultum." Also, no. 94, 95, 96, 97.

able enthusiasm. The whole organisation was but a weapon for the conversion of Englishmen in a body to the faith of their fathers. But even the Jesuits had abandoned the idea that missionaries alone could change the faith of the realm. The Established Church had the civil arm in its favour; Catholicism must also wield the sword, and, realising that it was futile to seek such force within England, the Jesuits sought aid at the courts of Europe. Yet, out of all Europe, they found only Spain able and willing to give the requisite aid, and to Spain the Jesuits clung, not because of its nationality but because of its militant Catholicity.[1]

Yet, "to think it is possible to get the upper hand in England without having a party within the realm is a great illusion," wrote Robert Parsons to the secretary of Philip II, "and to think to have this party without forming it and keeping it together is no less an illusion."[2] Seated in his study in Rome, he imagined the Catholic laity as numerous as the leaves on the trees, needing only direction to be powerful and dangerous, and such leadership, the seminarist clergy, guided by the Jesuits, was to furnish. Hence the colleges where the young priests were educated, the prisons where the older priests were confined, the money paid by the laity for the relief of the imprisoned clergy, should all be administered by the Jesuits, that each might be fitted into the great building which only the utmost care could erect. Let the seculars be kept on the whole ignorant and without degrees;[3] they would be the more obedient and pliable and have less initiative and individuality of their own. Let the alms fund be used where there was most

[1] Parsons to Father Creighton, May 10, 1596. *Records of the English Catholics,* II, 381-383. And see also the same repeated in the following letter:— "I have already said to you and it is indeed most true, that I exceedingly wish that we had nothing to do with the affairs of earthly kingdoms: but since our sins have caused that, in the upheaval of our country, political affairs and religion should be so intermixed and perplexed that the restoration of one can not be trusted without the other, nor can the Catholic Religion be restored without a Catholic Prince . . . we cannot but be solicitous. . . . The one thing and first of all that I look for in our future ruler is that he be a true Catholic; let him be of what nation, race, or language he will."

[2] Parsons to Idiaquez, the minister of Philip II, *Records of the English Catholics,* II, 329, April 21, 1591.

[3] It was constantly brought forward by the seculars that unless the youths in the seminaries submitted to the Jesuits, they would get no degrees, nor certificates of learning; they also claimed that the Jesuits, particularly after 1607, sent over youths very ill prepared for the priesthood in order to embarrass and discredit the seculars with the English laity. Cardinal d'Ossat, the

need; surely the priests in prison might fast a little *ad majorem Dei gloriam*.[1] The conversion of England was to him so necessary, so feasible, and so glorious, that he could not conceive of any sincere Catholic refusing his assent to anything which would promote the general enterprise. Of what consequence indeed were the lives or property of the laity and the clergy then living compared with the salvation of the thousands of English souls still to be born?

The Seculars, on the other hand, insisted passionately that the personal safety and piety of the Catholic laity of that moment was more important than the vague chance of saving the souls of all future Englishmen. Far from sharing the Jesuit zeal for the conversion of England, as a whole, by war or conquest, they were strongly convinced that such an end attained by foreign invasion and the accession of a Spanish dynasty to the throne was not only undesirable but impracticable,[2] and built their policy upon the assumption that the throne of Elizabeth was too firmly established to be overturned. With almost unnecessary vehemence, some of them declared that if the Pope himself came to establish Catholicism by force, they would shed the last drop in their veins to keep his feet from English soil.[3] All the efforts of the Jesuits, they affirmed, only made the lot of the existing Catholics harder. Feuds, plots, and schemings resulted, not in the conversion of England, but in the murdering and robbing of the Catholics then alive at the hands of the Protestants, who had no alternative so long as the Jesuits continued their practices.[4] Why snatch from the Englishmen of the present those comforts of religion which they might en-

astute Frenchman, declared: "The object of these institutions (seminaries) is to instil into the minds of the missionaries, the Spanish political creed: and for that rather than the Catholic faith, were they, if necessary, to suffer." Quoted in Taunton's *Jesuits*, 134, note. Such was, on the whole, the secular version.

[1] The letters from Rome to the English Catholics urged them to struggle for the martyr's crown. We "think your estate to be rather enuied than pitied, that are so near therby to receiue the greatest benefytt that uppon earth God cann bestowe uppon his servauntes, which is to suffer for hym and with a short account to end all reckonings, though neuer so lardg." Stonyhurst MSS. Anglia, A, VI, f. 289. July 23, 1606.

[2] See Bagshaw's *True Relation* (in Law's *Jesuits and Seculars*, 96), *Archpriest Controversy*, I, 214, 217, *Records of the English Catholics*, II, 299, S. P. Dom. Eliz. 243, no. 11, 249, no. 44.

[3] William Watson, *Ten Quodlibetical Questions*.

[4] See: Gifford to his sister, Dec. 17, 1601, *Archpriest Controversy*, II, 178.

joy in secret, and that freedom in temporal affairs which would be theirs as soon as the plotting ceased, in the vain pursuit of the will o' the wisp of a Catholic England in the future? Let us devote our time and energy, they cried, to the creation from the priests and laymen now in England, of an English Catholic Church, with the ceremonies and ritual of antiquity,[1] with a complete recognition of the Papal preëminence, but without this close Jesuit control, without this close administrative connection with Rome, and without sacrificing any present well-being for proselytism. The situation demands not an unusual and arbitrary power in the hands of one man, but the diocesan powers of a Catholic Bishop.[2] Let the Seculars control the colleges, the alms fund, confessions, and the granting of faculties to priests. Above all, let there be no more coupling together of religion and politics. "The wisest laye Catholiques," wrote Bagshaw, "ar most desyrouse yt the actions of priestes should not extend beyonde theyre spiritual function."

Such intemperate language was used by both parties in the vilification of each other's character, and so much of it has ben rejected since, that it is unnecessary to say that the leaders of both Jesuits and Seculars were men of remarkable ability and considerable learning, and in general of a high type of character, who were filled with a noble sincerity and a patriotic enthusiasm. Certainly they compare favourably with the bishops and higher clergy of the Established Church and with the leaders of the Puritans. Though not as learned in the Scriptural criticism which flourished with vigour and inaccuracy among their opponents, the impartial student must admit that the Catholic leaders were in no way inferior in the nobility of their aims, the purity of their purpose,

[1] Sir Harry Constable wrote the Earl of Essex in Feb. 1596-7, and said he hoped Essex would teach the Queen to distinguish between the Catholics who merely desired the peaceable enjoyment of their conscience and those who desired the subversion of the state. (Hatfield MSS. 175, f. 3.) William Gifford writing in Dec., 1601, described the seculars as men who "with an Apostolical spirit doe seeke with zeale the only winninge of soules." *Archpriest Controversy*, II, 179.) *Rules for a Union of Secular priests*, fall of 1602 (?) *Archpriest Controversy*, II, 209) began:— "Cum nihil magis quam pacis et fraternitatis mutuæ inter Catholicos stabilitatem fideique Catholicæ propagationem desideremus." See also to the same effect, Dr. Ely to Cecil, *Archpriest Controversy*, II, 198.

[2] When the Jesuit mission to England was first proposed, in 1579, it was objected that "there would be disputes with the secular priests, and there were no bishops to hold the balance or to exercise proper ecclesiastical jurisdiction." Law: *Jesuits and Seculars*, p. xi.

the earnestness of their self-consecration, to Richard Bancroft, Launcelot Andrews, John Raignolds and Lawrence Chaderton. As for the rank and file, it is likely that the enthusiasm and piety of the Seminarists burned with a purer and more unselfish flame than did that of either the Puritans or the Churchmen. They faced death in order to administer the Catholic rites to the laity, and whatever difficulties and troubles beset the Puritans, no candid student will declare that their devotion and self-denial ever approached this supreme test. There is visible, too, among the Catholic clergy, little of that taint of worldly baseness, the seeking for the place with the largest stipend, which the rank and file of Puritans and Churchmen preëminently display. Granted that the Seminarists were wrong in their theology, misled in their theories, standing contrary to the world's progress by their opposition to Protestantism, it must still be admitted that, as men, they furnish us many examples of rare, noble, and unselfish devotion to principle and creed. Only fine characters would voluntarily subject themselves to that severe winnowing which each knew was to be his lot.

Of all these men, the most remarkable, (in a sense one of the really remarkable men of his time) was Robert Parsons, the Jesuit.[1] Between his life and Bancroft's are many parallels. Each was the other's greatest and most worthy adversary, and each accorded his opponent a fierce and undying hatred. Born two years after Bancroft, Parsons died two months earlier; while Bancroft was a student at Cambridge, Parsons was at Balliol College, Oxford, and, strange to say, both began by studying the Calvinistic theology; Bancroft definitely joined the Church in 1574, and Parsons entered the Jesuit order in 1575. The Jesuit possessed that fiery energy, restless and inexhaustible vitality we find in Bancroft, that same confidence in himself and the correctness of his own conclusions, that administrative sense, that capacity for routine work, that diplomatic finesse so conspicuous in the Bishop. They were indeed, the two most remarkable English ecclesiastics of the century. In appearance Parsons was "forbidding," and yet he was a

[1] E. L. Taunton's *The History of the Jesuits in England* is really a life of Parsons. For biographical details *The Dictionary of National Biography* and Gillow's *Catholic Dictionary* are very valuable. Taunton's book, though useful, is sadly marred by the uncritical handling of evidence and by a prejudice against the Jesuits which biased his judgment. See J. H. Pollen's review in *The Month*, 97, 502. For a Jesuit estimate of Parsons, see J. H. Pollen, in *The Month*, 100, 180.

great courtier, a diplomat of honeyed tongue and suave manners, a *persona grata* at the courtly Escurial. He was the head and Prefect of the English Jesuits and resided ordinarily at Rome.

The head (or Vice-Prefect) of the order in England was Henry Garnet, who had been educated at Winchester School, had then been proofreader for Tottel, the printer of the Year Books, and had become learned enough by close study to occupy later, as Jesuit father, the chair of Hebrew in the Seminarist College at Rome. His complicity in the Powder Plot has thrown such a veil of mingled adoration and defamation over him that it is hard to disentangle the real man. He seems to have been learned, able, pious, sincere, and the faithful servant of his Order in England. Another prominent Jesuit was the lovable John Gerard, a Lancashire man like Cardinal Allen, of gentle birth, careful education, courtly bearing, and great piety. There are few more saintly or charming characters in Catholic annals.

At the head of the Secular party stood several notable men, perhaps of less ability and less learning than the Jesuits, but not inferior in consecration, piety, and earnestness of purpose. Thomas Bluet, one of the most respected priests in England, had been originally a clergyman of the Established Church, in the diocese of Exeter; he studied at Douay in 1577, returned to England the next year, was soon captured, and was still in prison in 1600. He had been the leader of the Seculars against Weston and his faction in the Wisbeach Stirs. In this he had been aided by a younger man, Christopher Bagshaw, who came of a good Derbyshire family, and had been trained at Balliol College, Oxford, where he had already met Parsons, who was then a master of arts of the same college. Both men possessed that violent sixteenth century temper from which Bancroft suffered, and the two never forgot or forgave the animosity of those early years. Bagshaw enjoyed considerable reputation as a Greek scholar, and when he joined the Catholic Church in 1582, and went to Rome, was sought after by the Jesuits, but once again offended them by siding with their opponents in the English College. While in Italy, he took his degree as a Doctor of Theology at Padua, then set sail, in 1585, for England, where he was soon lodged in the Tower, and was thence transferred to Wisbeach.

Another important secular priest of singularly firm character

and strength of purpose had been misnamed by fate, John Mush. He had no experience at the English Universities, but was seven years at the English College at Rome, where he was noted for his fluent and elegant Latinity, no mean distinction in a city where so many spoke that tongue readily. Having attracted the favourable notice of Cardinal Allen, he was sent to England in 1583, and settled in Yorkshire with unusual faculties for a missioner. He acquired a great knowledge of the country and of the whereabouts of the Catholic laity and priests, and seems beside to have had administrative abilities which naturally pushed him to the front as a leader. Such he certainly was. John Colleton, the leader of the southern Catholics, was of a different stamp. Devoid of any considerable learning, he was of a rather dull, melancholy temperament; and his age and his sufferings when on trial with Campion, rather than his qualifications for the post, made him a leader among his associates. Of an entirely different type was Dr. William Bishop. As the eldest son of a man of property, he left Oxford after a year's residence, renounced his inheritance in favour of his younger brother, and went to the English College at Rome. Having entered the English Mission when twenty-five years old in 1581, he had gained, by 1598, the distinction of having been twice imprisoned and twice banished, during one of which sojourns on the Continent he had taken a doctor's degree at the Sorbonne, Paris. Long after Bancroft's death, in 1623, he became the first English Catholic Bishop.

The ideals of these two groups of leaders were effectively though imperfectly understood at Rome, when the question came up, in 1597, of appointing some head of the English clergy to supply the titular leadership which had lapsed with the death of Cardinal Allen.[1] The Jesuits won the day,[2] and instead of a bishop, the Cardinal Protector of the English Catholics appointed an archpriest from the Secular body who was to exercise practically dictatorial powers,—"to direct, admonish, reprehend, and also chastise those

[1] The schemes proposed were many and varied. Parsons' scheme is printed in the *Brief Apologie*, 102. (Reprinted in Tierney, III, cxvii.) A manuscript copy is in the Vatican, Cod. 6227, f. 27. Father Holt's scheme is in the *Douay Diaries*, 384. Some Seculars seem to have espoused a system of sodalities, more or less loosely bound together.

[2] The Seculars later declared that the appointment was obtained "only by intervention, shuffling, glosinge, and false intimation." *Archpriest Controversy*, I, 210.

priests, to remove them from one residence to another, to determine controversies and repress schisms.'' No appeal was provided for, and there were no traditions of office to restrain the arbitrariness of the new Archpriest as there would have been had a bishop been appointed. He was given six assistants, one over each of six districts into which England was divided, and the number was later increased to eight and then to twelve. Probably, the Seculars assigned unduly selfish motives to the Jesuits, who no doubt really convinced Cajetan, the Cardinal Protector, by explaining that what was needed in England, if the missionary work was to progress at all, was not a bishop whose discretion would be bound by precedent and tradition, and whose duties would normally include only the daily administration of a diocese, but a militant organisation where the power would be concentrated in the hands of one man, who could deal with each new problem as his discretion directed. Given that the supreme object worth attaining was the conversion of all England—and there were few or none at Rome who thought otherwise—and this conclusion was not only politic but sound.

Having now created an office endowed with unlimited discretion, the Cardinal appointed to the post a man who was not discreet. Here again it is only just to Parsons and to Cajetan to add that, as they had not been actuated in creating the office solely by a desire to domineer over the secular clergy,[1] so, in selecting the incumbent, they did not intentionally choose a man who would be likely to sow seeds of dissension. George Blackwell, the new Archpriest,[2] was selected because he was an elderly man, being about fifty years old; because he had been noted at Douay, whither he had migrated from Trinity College, Oxford, after resigning his fellowship; because he was a man of learning, mild, impartial, and tactful; and because he had already put himself on record as favourable

[1] Garnet, however, warmly disavowed any intention to oppress the seculars or dominate over them. ''If secular priests have recourse to us in doubts, this is no oppression. If men look up to our profession or doctrine, this is no oppression.'' Stonyhurst MSS. Anglia, A, II, no. 19: Dec. 10, 1596. Garnet to the General of the Jesuits. Father J. H. Pollen in *The Month*, 100, 186, declines to believe that the Jesuits had any intention of subjugating the Seculars. It is not unlikely that such is the exact truth, but it cannot be gainsaid that the Seculars believed that they had such a design and that belief was as important a factor in the situation as if they had had.

[2] ''Blackwell, a preest, . . . hath remayned 4 yeares together in Lancashire, being about 45 yeares of age, meane stature, heare blacke, somewhat fully faced and sallowish.'' Harleian MSS. 360, f. 24.

to the Jesuits. After his appointment, however, his whole character seemed changed, and his friend, Dr. Ely, wrote: "it is not the same Mr. Blackwell, I knew him to be."[1]

When the Seculars learned of his appointment, their first thoughts were angry and wrathful, and their first impulse resistance.[2] His secret instructions, which advised him to consult with the Jesuits, they regarded as equivalent to requiring him to obey the Fathers, and so great were their apprehensions that they finally culminated in an appeal to the Pope, on the ground that the Constitutive Letters of Cajetan had not been issued with direct papal authority, and had therefore no inherent binding force.[3] Instead of meeting the secular emissaries half-way, and seeking some compromise, Parsons contrived to have them treated as criminals and dangerous schismatics, and to have them denied an audience with the Pope. Finally, after some imprisonment, they were given a brief hearing before two cardinals, were censured, and were banished from Rome and from England. A papal brief, issued April, 1599, validated Blackwell's appointment *ab initio,* and required immediate submission. Having won the victory, and having only to wait and to employ a little tact to secure its fruits, the Archpriest, with inconceivable indiscretion, demanded submission from the recalcitrant

[1] *Briefe Notes,* f. 104.

[2] It is clear that by no means all the Seculars opposed the Jesuits, but what the proportion was, it is hard to determine, for each side claimed the vast majority of the Seculars as their adherents. The priests at Wisbeach soon accepted the Archpriest in a fulsome letter signed by seventeen men. (Stonyhurst MSS. Anglia, A, II, no. 42, Oct. 1, 1598, copy only). Weston, in enclosing the letter to Parsons, adds, "Similes literas plurimas antehac accepit idem R. D. Archipresbyter, et quotidie et iam accipit ab optimis Presbyteris. Societas nostra Universa illi intime coniuncta est: et de Laicis hos affirmo, nunque quicquam accidisse illis iuncundius, quod (?) huius Archipresbyteri promotionem." Garnet declared, in a letter to Colleton, of November 9, 1598, that the Archpriest's government had been "receaued with singular liking of the most and best." (Stonyhurst MSS., Anglia, A, II, no. 43.

[3] *The Archpriest Controversy,* Vol. I, contains the most considerable amount of material we possess on this first appeal. In Stonyhurst MSS. Anglia, A., II, no. 47, are copies of the letters which the priests carried with them signed by sixteen Seculars. The plea written by the advocates of the Archpriest is in Archivio di Stato, Turin, Raccolta Mongardino, 61, no. 11. It describes the Jesuits as "homines innocentes industrios ac optime de Anglia nostra." In the same volume, no. 12 is a "Summarium desumptum ex confessionibus Ruberti Charnochi et Gul. Bishopi . . . " dated Jan. 4, 1599, which seems to give a fairer account of their reception and examination than the accounts printed by Law. It leaves no doubt that Parsons used extreme measures to defeat them but somewhat lessens the tale of cruelty and deceit given by the priests themselves.

priests before the official papal brief actually arrived, although the news of its despatch had long been received. Naturally, the priests refused, and when they did submit on seeing the document, Blackwell insisted that they should also add an abject confession that they had been guilty of schism in first declining to accede to his appointment. With vehemence and scorn, they repudiated his demand,[1] whereupon they were deprived successively of all assistance from the alms fund, of the use of their faculties as priests, of the right to defend themselves by word or writing, or to promulgate a decision which the Theological Faculty of the University of Paris had just rendered in their favour. Then, to confirm all suspicions ever entertained about him, Blackwell consulted the Jesuits so frequently and followed their advice so invariably as to lend some colour to the charge already made that he was only their tool. His arbitrary and dictatorial powers were used to the full, censures given, faculties suspended, residence altered without as much as hearing the men accused, and (seemingly) without much open and avowed search for the real truth. Not one of his assistants was a man whom the Seculars were willing to trust, or who was free from the suspicion of Jesuit influence, and Blackwell, instead of taking measures to remedy it, treated it as of no consequence.

The worst trouble rose out of the alms fund[2] which was con-

[1] Blackwell to Garnet, May 12, 1599. Stonyhurst MSS. Anglia, A, II, no. 52. Colleton, however, and perhaps a section of the party disclaimed any opposition to the Jesuits and wrote to Garnet to say so. The latter replied that, as far as he could gather, this was what the Seculars had been busily spreading. The government by the Archpriest "is a thing deuised by the Jesuits; The Superior one of their owne chusing. Why should the Jesuits appointe us a Superior, more than we a Generall unto them. It is the fine head of F. Persons that hath invented this. He hath geuen wrong information to the Cardinall and to his holynes. The Cardinall was alwayes partiall on the Jesuites syde. Some of necessity must be sent to informe better. . . . They must also propound to haue the gouernment of the College inlarged as beyng over strait and indiscreet for our nation: yea they must make suite that the Jesuits be remoued from the gouernement of all Seminaries of our Nation. And towching the mission of England in particuler, all the Jesuits must needes be called away." Stonyhurst MSS. Anglia, A, II, no. 43, Nov. 5, 1598. Another copy Anglia, A, VI, no. 25.

[2] No other grievance of the Seculars is so often reiterated as Blackwell's maladministration of the alms fund. *Archpriest Controversy*, I, 11, 209; II, 22, 67, 120, etc. He declared in defence that he had no more money to distribute than he gave. (Id. II, 226.) On his side of the dispute see also S. P. Dom. Eliz. 275, no. 115, v. There seems to have been much real want among the Seculars. See *Archpriest Controversy*, I, 90, evidence which could hardly have been framed for effect. According to the seculars, the Jesuits were literally rolling in wealth; see quotations in Law, *Jesuits and Seculars*. 101, 102, notes.

tributed regularly by the laity for the support of the priests and laymen in prison and therefore unable to support themselves, and who would have starved unless aided, for in the prisons of those days, the criminal was forced to pay out of his own pocket for everything he needed. Not only did the Archpriest cut short the money of the recalcitrants, but he was believed to have diverted large sums into the hands of the Jesuits. The whole quarrel between the two parties is typified by their attitude towards this alms fund. In the Jesuits' eyes, it was contributed for use in any way or in any place, by which the great project could best be furthered. A subsidy here, a bribe there, a thousand pounds to Father Parsons in Rome for secret service, all was right enough so long as it was being spent for the conversion of England.[1] But the Seculars declared that the fund was given for the support of a Catholic priesthood in England to minister the rites of the Church to Catholic Englishmen, and that every penny of it ought to be allotted to some deserving secular priest. When the cold of winter stung them through a threadbare cassock, and the pains of hunger were gnawing at their vitals, the grand projects of the Jesuits seemed shadowy and unworthy. The reflection that Garnet, Gerard, and Parsons were well provided with personal comforts and even luxuries only embittered their suffering. They had no desire to shiver and starve in gloomy prisons, while the Jesuits disported themselves in the sunlight, apparelled in silks and fine linen, mounted on splendid horses, and served on rich plate by liveried retainers.[2]

Whatever the truth was about Jesuit extravagance and luxury, the Seculars undoubtedly believed it and much more, and it went far to sunder the parties beyond reconciliation. They might forgive and forget the Jesuit desire to rule them, but they could never overlook the fact (which they thought beyond question) that the Fathers had been willing they should be hungry and naked *ad*

[1] According to a Catholic informer in 1598, £12,000 had been gathered in England, of which the Jesuits would account for only £2000; and it was said to be well known in Rome that there had been a later levy of £30,000 of which the Jesuits had absorbed the whole. S. P. Dom. Eliz. 269, no. 27. Very likely this is greatly exaggerated but these wild rumors certainly obtained credence among many Catholics and were potent factors in the situation.

[2] A MSS. description at Hatfield House, of Gerard, drawn up by the government spies, reads: "for the most part attired costly and defencibly in buff leather, garnished with gold or silver lace, sattin doublet, and velvet hose of all colors, with cloaks correspondent, and rapiers and daggers gilt or silvered."

majorem Dei gloriam. Nor could they forget or forgive that Blackwell, their own titular head, had been willing to pay to the Jesuits for such purposes the money which came into his hands for their support. Such feelings were, perhaps, sordid, but they were hardly unnatural or blameworthy.

Finally, this actual suffering, made acute by the rankling sense of injustice, led thirty of the most prominent Seculars in England, headed by Bluet, Mush, Colleton, and Bagshaw, to draw up on November 17, 1600, a solemn appeal to the Pope. But, without money, without friends at Rome, without their liberty, and with all the officials in England of their own and the Jesuit order bitterly hostile to them, the chances of their ever being able to present their appeal looked exceedingly remote. Then, suddenly, when least expected, and from a quarter whence experience and reason had taught them to look for nothing, came the *Deus ex machina* who performed the seeming impossibilities.

NOTE A

The Number of Catholic Clergy, 1600

The following is an incomplete but instructive list of estimates of the number of priests:—

1584,	500,	(S. P. Dom. Eliz. 168, no. 29.)
1588,	300,	Allen to the Pope, (Simpson's *Campion,* 377)
1596,	300	seminarists, and 40 or 50 of the old Marian clergy, (Father Holt, a Jesuit in England, *Douay Diaries,* 378.)
1597,	400,	("Considerations addressed to the Spanish Minister Pegna on the subject of Invading England, Tierney's *Dodd,* III, lxviii.)
1597,	300	priests are said to have entered England. ("Certain chief Points of Accusation," printed in Bagshaw's *True Relation,* 1601.)
1598,	500,	(Tichborne writing to Darbyshire, S. P. Dom. Eliz. 262, no. 28.)
1599,	600,	(Anonymous in S. P. Dom. 271, no. 29, June 29)
1603,	500	seminary priests. (Priest examined by the government, S. P. Dom. Jac. I, Vol. II, no. 15, (i.))

1606, 400, Statement made by Attorney General in House of Commons. (*Commons Journals*, I, 302.)

1609, 200 in the North alone. (President of the Council of the North, S. P. Dom. Jac. I, 49, no. 30.)

All these men may have believed what they wrote, but we can hardly trust one rather than another, and all cannot be right. From T. G. Law's *Calendar of Catholic Martyrs* we learn that between 1586 and 1603, 135 suffered, chiefly secular priests, while some 60 or 70 priests out of 500 who entered England, up to 1601, had, according to Mr. Law, apostatized. (*Jesuits and Seculars*, 120, note.) Considerable numbers were also banished, and, though it is almost impossible to ascertain with accuracy the total number, perhaps one hundred would not be far from the mark. But, of the apostates, some returned to the fold, and of those banished, many, like Bishop, returning and suffering banishment again, were thus counted twice. The further such an inquiry is pursued, the greater the complexity becomes. It is improbable that any contemporary, in England or abroad, possessed enough knowledge concerning all these tangled details to give any figure which was even approximately accurate until the census of the priests conducted by the Seculars, 1608-1612.

NOTE B

Number of Catholic Laity, 1600

A very detailed list of names which seems to have been compiled from the reports of the bishops in 1592, (printed in *Hist. MSS. Com. Report, Hatfield House*, IV, 263) gives 479. The figure given in Tierney's *Dodd*, IV, xciii is 6126, in 1604. Then a paper in S. P. Dom. Jac. I, XVI, no. 125, which seems to have been compiled during the searching inquiry after the Gunpowder Plot in 1605, gives 1944 as the total. The Account of 1592 omits Derby and Shropshire, both strongly Catholic, and we know positively that the figures of 5 for Durham, 26 for York, 18 for Worcester, cannot even represent the recusant gentry of the shire, to say nothing of the people. On the other hand, while the list of 1605 professes to give all classes, it gives even fewer gentry than the list of 1592, and omits many of the strong Catholic counties of the realm like Worcester, Northumberland, and Durham. Lancashire is allotted 7 recusants, whereas a return of the bishop in 1603, (S. P. Dom. Jac.

I, IX, no. 28), gives 2820. 150 are allotted to Derby, where another account assigns 300 in the High Peak district alone, (S. P. Dom. Eliz. 241, no. 25), while the Recusant Roll of 2 James I, shows 500 Hampshire offenders who owed £120 for not attending church. On the other hand, Father Rivers wrote to Parsons that the certificates handed in to the Government in 1602 showed 20,000 *more* recusants than there had been five years before, (Foley, *Records*, I, 21) and he wrote to Cornelis in 1604 that Bancroft had declared in Parliament that the Protestants outnumbered the Papists a thousand to one. (Foley, *Records*, I, 61-2).

A more trustworthy source of information is the official report of the bishops in 1603 : (Harleian MSS, 280, f. 157.)

	Recusants		
Diocese	*Men*		*Women*
Chichester	109		153
Bristol	89		124
Peterborough	13		83
Exeter	44		55
Gloucester	33		31
Hereford	152		279
Coventry & Lichfield	231		419
Bangor	11		21
St. Asaph	100		150
Canterbury	18		20
Peculiars of Canterbury	5		13
Rochester	11		7
London	166		152[1]
Norwich	147		177
Oxford	93		141
Bath & Wells	50		52
Winchester	149		249
Worcester	102		168
Salisbury		171[2]	
Ely		19	
Llandaff		381	
St. Davids		145	
Lincoln		295	
York	300		420
Durham	211		315
Chester	922		1560
Carlisle	30		44
	2986	1011	4633

This gives a total of 8630.

[1]Noncommunicants in the diocese of London —1572.
[2]The Bishops' returns do not give separate figures for the dioceses in this column.

While it is necessary to reject all these figures as inconclusive, it must not be forgotten that the lists above cited represent not the total number of Catholics in the realm, but merely the number *indicted* or *presented*, and so far as that went they may be absolutely accurate. In the counties where we know the Catholics were strong, the number indicted was very likely small, because the local officials either sympathized with the recusants or because they were not able to execute the orders of the Government. Thus in St. Saviour's Southwerk, (Diocese of Winchester, Harleian MSS. 595, f. 250b) there were 32 recusants out of 3700 communicants, but 300 men and 200 women refused to receive the communion. At St. George's, there was only one woman recusant, all the men recusants being in jail, but there were 50 men and 50 women who refused to receive the communion. The only scholarly position to assume in such a case is to acknowledge that we do not know at all how many Catholics there were in England, but, if we might hazard a guess, there were very likely between 750,000 or 1,000,000, of whom perhaps ten per cent, well scattered, were Spanish sympathizers.

CHAPTER VIII

FOSTERING CATHOLIC DISUNION

One cold morning in the month of March, 1601, a little more than three months after the signing of the appeal at Wisbeach, an old priest picked his way over the cobblestones of the tortuous London alleys towards one of the unsavory prisons where Catholic priests were then incarcerated. His pallid face and thin form told of years of constant confinement and the mud encrusted upon his cloak bespoke a long journey on foot. He was readily admitted to the prison, to the room where were the priests for whom he had asked. Scarcely had he crossed the threshold of the room than one of the inmates exclaimed joyfully, "It is Father Bluet;"[1] and Bluet it was, come all the way on foot to see whether some compromise could not be made with Blackwell about the alms fund. But the warden had overheard the involuntary exclamation, and eliciting from one of the priests the fact that it was indeed the Bluet so long imprisoned at Wisbeach, he hurried off to Fulham with the news. Bancroft was overjoyed at learning that the leader of the Seculars had voluntarily come to London, and realised that chance had thrown in his way a golden opportunity. He was ready to be the *Deus ex machina* for which the situation seemed ripe, but as he sat turning over in his mind the various conflicting elements of the problem, while awaiting Bluet's arrival, he confessed to himself that it was a very complicated condition of affairs, and very hard to see when and where the auspicious god could best make his entry. And yet the temptation was great.

Naturally, the quarrels of the Jesuits and the Seculars had been

[1] "Unus interea ex illis sacerdotibus statim me uidens præ gaudio (ut uidebatur) acclamauit; Pater Bluettus est." The following narrative of Bluet's arrival in London, and his interviews with Bancroft is an almost literal translation of Bluet's own account to Cardinals Burghesi and Arrigoni. March, 1602. S. P. Dom. Eliz. 283 A. f. 70. It has been printed in the original Latin by T. G. Law in Appendix K, of his *Jesuits and Seculars;* the reference being wrongly given to Vol. 283, instead of 283 A.

known to the State for some time. The first accurate intelligence had come from Bagshaw who had been imprisoned in the fall of 1598 by the Privy Council under the belief that he was implicated in Squire's Plot to poison the Queen. Although they soon found he was innocent of the charge, they drew from him so many details regarding the internecine strife over the appointment of the Archpriest and the appeal to Rome, that Bancroft, who had been active in examining him,[1] became convinced that there was an opportunity ripening which might be turned to excellent account. Probably in that same year, an anonymous but lengthy list of the Jesuits' errors was handed in by the Catholics to Elizabeth, in which they declared their detestation of the Jesuit Order in general and of plots and murders in particular, and suggested that, by the aid of the King of France, the Pope might be induced to recall the Jesuits from England.[2] Accordingly, Wade, the Lieutenant of the Tower, was directed to examine all the priests in London upon their complicity with Blackwell, and particularly to discover whether the latter had not on foot some grand scheme "to make all the priests cooperate for bringing in the Infanta to be our Queene."[3] Wade learned very little chiefly because the men he questioned, having been long in prison, could not know what he was most eager to find out. News, however, appeared in plenty during the next year from the horde of informers who quickly set to work upon the problem, and soon the Government was more perplexed than before, for the letters they received gave them "news" which ran the whole gamut of possibility. One man assured Cecil that the quarrel was only feigned by Parsons and Bagshaw to blind the authorities to their real scheme.[4]

In all of these accounts, Bancroft placed no confidence: the papers on which he relied were few but golden. According to a reliable advice from Flanders in 1597, Fisher, the secular agent

[1] See the endorsement on Fisher's Instructions, 1598, in *Archpriest Controversy*, I, 206, ff.

[2] Stonyhurst MSS. Anglia, A, II, no. 46. "Compendium molitionum quibus diuersi Jesuitæ ubi sunt ad principes interficiendos et ad status eorum euertendos." Endorsed by Parsons, "Calumniæ Car: pag: contra nostræ societatis ad Reginam Angliæ, 1598."

[3] Mush to Bagshaw, May, 1599. Printed from the Petyt MSS. by Law. *Jesuits and Seculars*, 148.

[4] S. P. Dom. Eliz. 286, no. 57. See also a very long letter from William Watson to Coke in *Archpriest Controversy*, I, 210.

for the appeal of 1598 to Rome,[1] had declared that "he was in greate hope of liberty of conscience in England as that the Jesuits might be gotten from thence,"[2] and the Bishop knew that Father Mush had written to Father Bagshaw in May of 1599, "I muse they (the Government) ar so senseless, as not to thinke upon some tolleration with conditions which might free us from this jelosye."[3] But best of all he liked to contemplate a secret letter from the Jesuit Father, Tichborne, at Rome, to his colleague Father Darbyshire in France. The rigor of the English penal laws, wrote Father Tichborne, was the basis of all the Jesuit success in England and abroad. It maintained the fervor of the people for martyrdom, and accelerated the stream of young men of parts to the Catholic seminaries. One thing and one thing only could shake the confidence of English and foreign Catholics in the Jesuit order —a report; "supposed to proceed from some deeper brain than our ordinary wits," of liberty of conscience. We much fear that "this is the only means to show that . . . that, which we are fain to daub with such glorious colours, is but a mere chimera and a bare shadow; that there is no such numbers of men affected to our party as we would enforce;[4] that a more mild and moderate course were more fitting; that it is observed in all histories that religion

[1] "I had messages to Pagett to try to get him to work to get the Jesuits expelled from England: if not, at least to get Lister put in place of Fr. Garnet as less liked by his own side. . . . I had other letters to the scholars at Rome from Bagshaw and Bluett animating them to continue their quarrels. Bluett's I left in England; Bagshaw's I gave to Trollope and his companions, when I met them at Milan last November. They also wished the removal of the Jesuits from the English Seminaries. . . Also carried a letter from Bagshaw to the Pope in the name of Catholic clergy but not signed." Examination of Robert Fisher by the papal Fisc. Original, signed. Stonyhurst MSS. Anglia, A, VI, no. 22, March 8, 1598.

[2] Bancroft's note to an "Abstract of Parsons' Memorial," Sept., 1597. *Archpriest Controversy*, I, 15. See also the paper "Heads of Instructions for Fisher on his being sent to Rome to oppose the Jesuits, and to deal with Cardinal Toleto to prosecute his purpose for removing them out of the English College at Rome and out of England." This seems from the endorsement to be a communication made to Bancroft himself.

[3] Law, *Jesuits and Seculars*, 148. The Pope said in a personal interview with the appellants in March, 1602, that "a toleration of liberty of conscience in England would do harm and make Catholics become heretics." *Archpriest Controversy*, II, 6. Mush's Diary.

[4] Parsons' *Principal Points* for the private use of Philip II. *State Papers. Simancas*, IV, 628-633. See the whole letter. "Although the fervent Catholics looking to religion alone, will be willing to submit themselves absolutely to his Majesty (Philip) a much larger and more powerful majority do not wish the crown of England to be joined to that of Spain." (1596)

was never planted or restored by arms; that suffering and submission must needs in time work pity and commiseration . . . that the way to take away, on all parts, jealousies, suspicions and a labyrinth of perplexities is for the one part to give what testimony or pledge may humbly be devised of their innocency and sincere submission, the other of their humanity, nobility and clemency. . . . What rigour of laws could not compass in so many years, this liberty and lenity will effectuate in twenty days, to wit, the disfurnishing of the seminaries, the disanimating of men to come and others to return, the expulsion of the society, a confusion as in Germany, extinction of zeal and fervor, a disanimation of princes from the hot pursuit of the enterprise."[1]

Daring schemes floated through Bancroft's mind. If the Jesuits thought that the toleration of the English Catholics by the Government would empty the seminaries, extinguish all enthusiasm for the restoring of Catholicism, not only in the hearts of English adherents of the faith, but in the minds of European princes, why not allow comparative toleration? Why not foster an organisation of the secular priests and encourage an appeal to Rome which the Jesuits believed hostile to the best interests of the Catholic party in England? If Blackwell was so afraid of what the Seculars could say in justification of their claims, that he felt it necessary to forbid stringently the writing of any reply, why not encourage the priests to write replies and allow them to be printed and disseminated? All this he did not now see for the first time, but he now had for the first time the prospect of acquiring trustworthy information. Wade's inquisition of the priests and Bancroft's labours in the fall of 1600, whose record we find in his "Forty-Five Articles of Inquiry,"[2] had convinced him that such a compulsory process was of no value. Nothing worth his trouble would be dragged from the unwilling lips of the prisoners. He was convinced that he must come into such relations with one of the leaders that the priest would unbosom himself, not as he would to an inquisitor, but as he would to a trusted friend.

Such an opportunity he now hoped to find, for he was reasonably

[1] Henry Tichborne, S. J. at Rome to Thomas Darbyshire, S. J. of the English Mission, at Pont-à-Mousson, Feb. 2, 1598. S. P. Dom. 252, no. 28. Printed in full by Law, *Jesuits and Seculars*, 139.

[2] A most important and valuable document which shows us exactly how much he knew at this moment. Printed in full in *Archpriest Controversy*, I, 226-238.

sure that Bluet, if not favourably inclined toward the State, was intensely hostile to the Jesuits and ready to grasp at any scheme of deliverance. He had talked freely with his jailer at Wisbeach in 1599, when Bagshaw had been summoned to London by the Privy Council: had expressed his fear that the Jesuits would "swear all priestes to be trew to thenfanta of Spayne," and his readiness to be "starved to death in the Castell of Wisbiche" before he would take such an oath. He had declared that Bagshaw was of the same mind.[1] From the same source came to the Bishop's ears, tales of the violent quarrels at Wisbeach, in which Bluet had more than once roundly declared that, if they followed such courses "before god he would write to the Councell for that he would not be hanged for neuer a knaue of them all." In addition he had censured the Pope himself for his conduct. "And of late, Mr. Bluett fallinge in talke with Mr. Barlow burst into a greate passion as I understand against F. W. the Cardinal, and of the Poape himselfe. He saied it was more then he could do to send suche thinges to adde affliction to affliction," and added, "the Councell know this thinge as well as I do, and thinges more secrett then this."[2] Bluet, therefore, suspected that Bancroft knew much, and that he was not averse to aiding the Seculars. Had not Bagshaw written to him as early as 1598 or 1599 when in London on summons of Privy Council, "that the cause of his sendinge for was concerninge certen matters which Mr. Bluett and he had often tymes talked of and that he had not thought those matters would haue been brought to passe so soone as he saw they would?"[3]

In due time Bluet arrived,[4] rather apprehensive of the reception awaiting him, and proceeded at once to explain that he was in London on leave of absence from his jailer to arrange certain business for the prisoners at Framlingham (*causas necessarias et negotia incarceratorum*). Bancroft received him with great courtesy, listened gravely to his excuses, and then wasted no time in setting out for the Court, where he saw Cecil and made the situation clear to him. The Secretary procured him an audience with Elizabeth, who quickly acquiesced in the scheme and ordered Bluet into the

[1] Stonyhurst MSS. Anglia, A, II, no. 65.

[2] William Ashton (William Gerard?) to Gilbert Gerard, holograph. Stonyhurst MSS. Anglia, A, II, no. 50. This is a Jesuit report but accords well with what we have from the seculars themselves.

[3] Quoted by Ashton from Bagshaw's letter.

[4] Bluet's narrative resumed.

Bishop's private custody at Fulham Palace. This was very fortunate for Bluet, inasmuch as Blackwell soon learned of his arrival, suspected that it boded no good to the Jesuits, and forbade him to perform any of his functions as priest or receive any alms. He refused to see him or have any intercourse with him of any sort upon the real object of Bluet's journey—the more equable division of the alms fund.

For nearly five months Bluet and Bancroft were in daily conference, but it was not until the Bishop had astounded his prisoner by the extent and accuracy of his knowledge, that the priest's tongue was loosened. Bancroft produced letters and books from Parsons, Holt and other leading English Jesuits, then in Europe, and at last made it perfectly (*perspicue*) clear to him that they had again and again invited the King of Spain to invade England and at different times had tried to find emissaries to kill the Queen by steel or poison.[1] Probably not all his intelligences were true, but both he and Bluet were convinced of their correctness, and, after all, the serious opinion of well-informed men rather than the truth itself has been the force which has moulded events. Finally, Bluet told him that to his certain knowledge (*ex mea certa scienta*) the secular priests had never countenanced any such undertaking (*huius modi volitionum.*) On the contrary, he and his friends had suffered not on account of religion or of justice, or of the Catholic faith, but for these very treasons for which they were not in the least responsible and which Parsons and his friends concocted at their leisure and ease, and left others to bear the brunt of persecution which naturally ensued.[2] Both men were then at one in their opinion that the letters and books made it clear that the Jesuits had used religion to cover their treasonable schemes for transferring the English Crown from the legitimate heir to the Spaniards.

[1] There were enough such statements which could be so construed in Parson's *Memorial.* Several men, captured by the government, both laymen and ecclesiastics, had confessed that Parsons had offered them large pay to assassinate Elizabeth. S. P. Dom. Eliz. 244, no. 55 (1593); 249, no. 12, (1594); 267, no. 7, (1596-7); etc. Such rumours were constant. These seem even trustworthy.

[2] Gifford wrote to his sister, Dec. 17, 1601, that the Jesuits "doe irritate and exasperate the prince; and by foolishe bookes, lewde pamphlets and intercourse of dangerous letters which theyr companions on this syde (in Europe) doe, made . . . the burden of bloody laws untollerable, which the prince and estate are forced to make for theyr owne security." *Archpriest Controversy,* II, 178. Bluet by no means stood alone.

No doubt other things passed between them, but such were all Bluet chose to record.

When the news of this favourable treatment of Bluet leaked out, a supplication to the Queen in the name of the Catholics in general was quickly prepared,[1] promising complete fidelity of both clergy and laity in all temporal issues (*quae ad temporalia sua spectarent*) and asking for liberty of conscience and the suppression of the Jesuit books. Through Bancroft's influence, the petition was actually presented to Elizabeth. The aged Queen read it carefully amidst the most appalling silence and then raising her head, her eyes flashing ominously, delivered one of her Delphic utterances. "These men, perceiving my lenity and clemency towards them, are not content, but demand everything, and wish to have it at once. The King of France truly may without peril of honour, life or kingdom, grant liberty of religion to the Huguenots, but it is not so with me, for, if I grant this liberty to the Catholics, by this very fact I lay at their feet, my honour, my crown and my life." The daughter of Anne Boleyn rarely forgot that to temporise with the Catholics was to admit herself illegitimate, a heretic, and a usurper. No one dared reply and Bancroft realised that the most essential part of his new scheme was impossible: the Queen would never consent to open toleration of the Catholics, and less than that they were not likely to consider very desirable. For forty years, individual breaches of the law had been condoned and connived at, and few had suffered severely, but what the Catholics disliked was the shadow of the sword of Damocles perpetually suspended above their heads by the slender hair of an old woman's whim. They asked for some definite understanding.

Bancroft, however, well saw that anything of the sort was impossible, and contented himself with rendering feasible the appeal to Rome which the thirty Seculars had agreed upon in the previous November, and the publication of the books which they had since been busy penning.[2] Legally their case was good: the Pope had never personally heard the first appeal and therefore could not be considered informed on the subject; Blackwell's appointment had certainly been confirmed but the refusal to accede to his

[1] Still from Bluet's narrative.

[2] The appeal is printed in full with signatures in Law, *Jesuits and Seculars*, p. 92, note. He gives an excellent bibliography of most of the books published in this dispute, pp. cxxviii-cliii.

unconfirmed authority had not been branded as schism, although he had demanded such a recognition from the priests; lastly—the clause in his instructions directing him to confer with the Jesuits was ambiguous enough to have caused a great deal of dispute over the question, whether it compelled him to confer with the Fathers before taking action, or merely permitted him to ask their advice when he, of his own volition, felt he needed it and without obliging him to follow it.[1]

Late in June, with Bancroft's sanction, Bluet petitioned the Queen for permission to leave England with four or five companions to present the formal appeal at Rome and to reveal to the Pope the true condition of the English Catholics. After much argument and anxious consideration, the Privy Council and the Queen at last consented, but stipulated in accordance with a plan suggested by Bagshaw, early in Bluet's intercourse with Bancroft [2] that the four priests should be banished to prevent their desertion to the Jesuits once they had regained their liberty, but should be allowed a respite of six weeks in England to collect money for their expenses, evidence to support their contentions, and credentials to friends at Rome. "It hath cost me," wrote Bluet to Mush on July 1, "anent this permission, many a sweat, and many bitter tears ere I could effect it. I have in some sort pacified the wrath of our prince conceived against us and of her Council, and have laid the fault where it ought to be and proved that the secular priests are innocent for the most part."[3] Having at last by great exertions succeeded in collecting £1000 in money and jewels,[4] and having overcome the other difficulties in their way, they departed for Dover on November 5, 1601,[5] and were speedily set upon French soil.

The motives which induced Cecil and Elizabeth to countenance this underhand negotiation with the enemy were undoubtedly mixed. Obviously, any disagreement between the Catholics would

[1] See Note A at the end of this chapter.

[2] Dr. Bagshaw to Bluet, April 27, 1601. "If you can procure the banishment of us together with Mr. Barnbye it would be very gratefull but with conditions not to disavowe our cowntrye or with any other not convenient restriction." Printed in Law, *Jesuits and Seculars*, 150.

[3] Tierney, III, cxlvii.

[4] *Ibid.* cxlviii, Sept. 16, 1601.

[5] Contemporary anonymous narrative of the journey printed in *Archpriest Controversy*, II, 28. The warrant for their departure dated Oct. 21, 1601, is in Privy Council Register, Eliz. (MSS.) XVII, f. 428, the warrant for their clothes, money, books, etc. is f. 437.

very likely redound to the benefit of the State by lessening their efficiency as a party, and, if the priests were really meditating treachery, the surest way to discover it was to allow them ample opportunities for communicating with their friends. Their movements would quickly reveal any plot to Phelippes and his fellow spies. Aside from any such opportunist considerations, the Queen was really anxious to concoct some test for distinguishing loyal from disloyal priests. Persecution for its own sake, she had never approved,[1] and indeed had been known to declare that the pity exacted by the sufferings of a priest gained more converts than his eloquence would have won in years of exhortation. It seems to have been also understood that the priests were to secure from the Pope, if possible, a breve or bull which would forbid, or at least discountenance plots and insurrections of Catholics against the State.[2] For such a favour, Elizabeth would perhaps have been willing to grant toleration.

Cecil and Bancroft had in mind, however, a much deeper motive and one of more immediate importance than the securing of toleration or some *modus vivendi*. Both of them were already secretly enlisted in support of the succession of James VI of Scotland to the English throne on Elizabeth's death; Cecil was certainly in constant though secret communication with him, and there is some reason to believe that Bancroft had also made overtures which had been favourably received.[3] Whatever the Bishop thought of the sincerity of the priests' dealings in regard to the appeal, he had no doubt that they preferred James to the Spanish Infanta,[4] and he urged that the secular influence with the Catholic laity, thrown at the crucial moment in favour of James, might

[1] Walsingham (?) to N. Critoy, printed in Spedding, *Life and Letters of Bacon*, I, 97, gives by far the longest and clearest account of the Elizabethan policy. See, however, J. H. Pollen, in *The Month*, Nov. 1904.

[2] The later correspondence frequently hints at this, and the priests actually petitioned the Pope for such permission. In fact, this point, so important under James I, was already seen to be vital and the Government was quietly gathering information. See Oscott MSS. Cod. 534. September 17, 1601. "Cavato da diverse lettre d'Inghilterra di 7 Settembre 1601."

[3] The letters of Cecil and James have been printed in Camden Society, Old Series, 78. The only authority for Bancroft's connection is Heylin, *Aerius Redivivus*, Book X, sect. 27, who was nearly a contemporary and who knew many who had known Bancroft intimately.

[4] Such evidence was and is abundant, but no doubt much of it was loose gossip, or stories spread by the Jesuits to discredit the Seculars. See Law, *Jesuits and Seculars*, 75, note.

very well turn the scale of a very complex and confusing situation. By this happy chance so quickly seized and so dexteriously utilized by Bancroft, precisely the right combination of circumstances had been effected: by securing for them the aid of the State in their appeal, he had laid the Seculars under a heavy obligation to him without committing himself to anything, and could now, at his leisure, play upon their natural antipathy for the Spaniard and insinuate cogent reasons for supporting James.

Nevertheless, sanguine as Bancroft was over the journey of the Appellants to Rome, his high expectations by no means concealed the real colours of the situation. Some thirty priests, most of them in prison or banished, all of them without money or the opportunity to make powerful friends, and all of them at odds with the Catholic official powers in England and at Rome, could not be accounted in themselves a party of great magnitude. Unless they could induce the Catholic laity to follow them instead of following the Jesuits and the one hundred seventy-five other secular priests, their personal loyalty and adhesion to the Government could not be of much consequence. The success of the appeal, however, might attract to the Appellants, in the first flush of enthusiasm, a large body of supporters and make them indeed a power. Nevertheless, Bancroft was forced to confess that the outlook was discouraging. "I do finde by the priestes themselves yt the Recusantes amongest us are growne to be of another spirit then they weare wonte; and that they weare never so like to ioyne with the Ennemie as they are now, if opportunitie serve. Parsons yow knowe is as wyle a traytor to her Majestie as any man lyvinge; and (as the case yt standeth) he directeth all the catholiques almost, yt are in England, by his wicked and treacherous instrumente Blackwell, ye Archpriest whom the Catholiques doe wholy followe (some few excepted) and Garnet the provinciall of the Jesuites, who leadeth and commandeth Blackwell as he list. So as the Jesuiticall humor doth now raigne amongst all that generation: which is a disposition to intertayne all maner of trayterouse designates against her Majestie and theire countrye, for the promotinge of the Spaniard, and consequently (as they are tawght) of the Popes religion . . . If any man shall informe your honour to the contrarie of the premise, I do verie humbly beseeche yow, not to beleeve him: as I knowe you will not. For I write not at random: your honour knoweth, yt that by your

means and next to yourselfe there are not many that are better acquaynted with the Current humour amongest the recusantes at this tyme than I am.''[1]

But the Seculars believed and Bancroft was more than half inclined to agree with them, that the English Catholics would desert the Jesuits if their eyes were only opened to the real designs of Parsons. To promote this process of enlightenment, the Bishop therefore allowed the Seculars to print secretly a number of books which they had been busy writing ever since the appeal had been formally prepared in the previous November. In these, they set forth their side of the dispute,[2] quoted in full the documents and letters in question, and assumed throughout an attitude of injured innocence that ill accorded with the vituperation of Blackwell and the Jesuits plentifully dispersed between the tedious arguments. Blackwell was stigmatised ''in plain English as 'an Archpriest of clouts,' 'a beggar on horse back,' 'a puppy to dance after the Jesuits' pipe.' '' His Censure of the Priests was, in Bagshaw's opinion, ''a sheet of paper, fraught neither with wit, honest dealing, discretion or learning, but in effect with as many shifts and lyes almost as lines.''[3] He was, in addition, declared another Secular, at the bottom of all ''Machiavellian drifts, Prothenian plots and Catelinian Countermined Conspiracies.''[4] Parsons retorted in kind. He too was lavish with his protestations of innocence, with long quotations from documents, with intemperate aspersions upon the learning and morality of the secular priests. To him, a verse of scripture characterised the situation: ''And the uncleane spirit went foorth and took seaven spirits more wicked than himself, and all entring dwelt there and the ending of those men was worse than the beginning.''[5]

The priests vehemently denied that Bancroft connived at the printing or dissemination of their books,[6] and indeed common prudence dictated such a denial for silence would, in a measure, have admitted the charge and would have placed their protector in a difficult position. As it was, the mere fact that such books were

[1] Bancroft to Cecil. Hatfield MSS. 87, f. 50. Holograph, August 3, 1601.

[2] A good bibliography of the most important is in Law, *Jesuits and Seculars*, cxxviii-cliii.

[3] Bagshaw, *True Relation*, preface.

[4] Preface to *An Answere made by one of our Brethren*, (1602).

[5] *A Manifestation of the Great Folly and bad spirit of Certayne in England calling themselves secular priests.*

[6] Preface to *The Hope of Peace.*

more or less openly sold about the streets of London caused invidious remarks. Bancroft was noted for his activity in the High Commission and for his energy in enforcing the censorship of the press; he was suspected of secret relations with the Seculars; and it was perfectly apparent that his men were making no strenuous efforts to stop the spread of these new tracts. The inference was plain, and there were plenty who made it: "Some Pens" were soon "walking against him."[1] The secret presses had been set up in Straffordshire where the Catholics were strong and whither Bancroft sent discreet printers from London,[2] but the vigilance of the local authorities in different parts of England arrested some one of these agents every few weeks, whom Bancroft or the Privy Council ordered sent up to London, where he could be released without causing open scandal. One man, apprehended with a load of popish tracts, besought his captors so earnestly to carry him before the Bishop of London instead of before the Lord Chief Justice, that they yielded to his entreaties, and were much disgruntled when the Bishop took the books, released the prisoner, and omitted to give them the customary reward.[3]

All this proceeding was fraught with an element of personal danger for Bancroft. By royal order he had certainly committed grave offences against the penal laws, which exposed him to deprivation from office, and the loss of his property and personal liberty, and fully realising the situation, the Bishop understood that, if ever the Queen should weary of aiding the priests and should require a scape-goat to bear the brunt of the blame, she would not hesitate to sacrifice him as she had poor Davidson. Towards February, 1601-2, he became genuinely uneasy. To interview priests and to connive at the appearance of anonymous books, nominally printed at Amsterdam or Paris, was one thing, but it was quite a different matter to correspond through the European mails with priests whom every diplomat in Europe knew were negotiating with the Pope. He therefore drew up a short document which would protect him in case anything went wrong, and forwarded it to Cecil, with a request for his approval and signature.[4] Apparently no objection was made, and in due time Bancroft was in pos-

[1] S. P. Dom. Eliz. 284, no. 89.

[2] See Note B at the end of this Chapter.

[3] S. P. Dom. Jac. I, VIII, no. 22.

[4] Hatfield MSS., 85, f. 19. Holograph, Feb. 8, 1601-2.

session of a parchment signed by several of the Privy Council, stating that his services in negotiating with priests "tended to her Majesties honour and the good of the Estate." "We haue thought good hereby to Lett you know that her Majestie doth approoue your good endeavours, and is pleased that you shall still contynue the same in all thinges, which shall appeare in your discretion to be necessarie, for the good of her Majestie's service." [1]

The Appellants had crossed the Channel to Paris in November, but the winter was more than half spent before they set their faces toward the south.[2] Every precaution was being taken to avert the fate which befell the appeal of 1598, when Parsons had easily frustrated, by his great influence, every attempt the two friendless and abashed priests had made to reach the Pope's ear. Bancroft realised full well that unless Bluet and his companions were assured of the protection of the French Ambassador, they, too, would return unheard, and hence the months which passed while the diplomats arranged matters to their satisfaction were, as it turned out, months well spent, for there can be no doubt that the ultimate though partial success of the Appellants was entirely due to French aid. Henry IV, it seems, was anxious to combat the Spanish influence at Rome and elsewhere, and saw that this appeal would give him precisely the weapon needed. The real battle at Rome was therefore less one between the Appellants and the Jesuits than one between France and Spain.[3] Finally, all was ready: Bluet, Mush, Champney and Dr. Cecil departed for Rome,[4] Dr. Bagshaw and Dr. Bishop remained in Paris to forward the despatches which were to be sent with the mail of the French Ambassador to his own Government, while to Watson and Barneby were entrusted the affairs of the party in London. The four delegates passed over the

[1] S. P. Dom. Eliz. 283 A, no. 40.

[2] Many of the authorities, including Mush's Diary, are printed in the *Archpriest Controversy*, II. These are more particularly the secular accounts. In Stonyhurst MSS. Anglia, A, III, no. 10, 11, 17, and A, VII, no. 74 are long and valuable papers on the Jesuit side. A great many pleadings and some of the evidence submitted to the Curia are preserved at Naples in the Biblioteca Brancacciana, III, B, 3.

[3] The diplomatic side of the appeal has been well treated by L'Abbé R. Couzard, *Une Ambassade à Rome sous Henri IV, (Sept.* 1601 - *Juin* 1605) *d'après des documentes inédits.* Paris 1902. He has used for the first time the original letters from de Béthune to the King, and much other new material.

[4] A copy of their passport is in the Archives du Château de Sully-sur-Loire.

Alps into Italy in February, and for three months nothing was heard from them.

In the mean time, Bancroft had plenty to occupy him: his own multifold diocesan duties claimed his attention; the High Commission sat every week, all day Thursday, and often on other days as well; there were recusants to watch, spies to direct, intercepted letters to read, books to seize and priests to interview; while, above all, he had to restrain the Appellants still in England from abusing their new-found liberty and yet protect them from insult and arrest. From the letters of Father Rivers, a Jesuit in England, to his superior, Father Parsons, we get what seems to be a truthful glimpse of Bancroft's energies at this time. In February, a Puritan had been sent up to London from Oxford, for declaring that the Lord Treasurer, the Secretary, the Archbishop of Canterbury, and especially the Bishop of London, countenanced the Papists in the face of the law. He repeated all his speeches to the Privy Council, and was rewarded for his plain speaking by the loss of one ear in Cheapside and the other at Oxford, and was, in addition, told by the Chief Justice that he had done "greate iniury to my Lord of London, affirminge of his owne knowledge (i.e., the Chief Justice's) yt not any man in this land had done greater service to this State then the Bishop, for, sayd he, hee hath put a diuision betwext the preysts themselues; hee hath caused them to wryte one agaynst another, and to subscribe there names which all the world thought impossible ever to come to pass."[1] The strenuous Protestantism of many of the pursuivants and local officials aided by the Puritan clergy and not a few good churchmen, who,

[1] Stonyhurst MSS. Anglia, A, III, no. 9. Feb. 17, 1601-2, from London. Printed by Foley, *Records*, I, 19. He has not only modernised the spelling but has been inaccurate in little things. He gives the date as Feb. 14; prints "hath" for "had," "saith" for "sayd," "disunion" for "diuision," and so on. His whole series of volumes are badly edited. For instance, in printing Stonyhurst MSS. Anglia, A, III, no. 66, he reads "Angelinus" instead of "Anselmus" which seems written plainly enough, (*Records*, IV, 371.) and in printing from this same volume, no. 68, omits needlessly a phrase or two at the end. (*Records*, IV, 373.) But these inaccuracies seem to be unintentional, due rather to his unfamiliarity with the old script than to any lack of care. Foley often omits paragraphs and, indeed, whole documents invaluable to the student of Catholic organization, but more because he was himself chiefly interested in biography and martyrology, than to a desire to conceal incriminating evidence. Of course, we could not be sure of this unless we had all the opportunities he had, but, so far as the present writer has been able to examine his work, this seems to be the truth.

of course, did not in the least understand what was going on and why, made it difficult at times for Bancroft to carry out his policy.

Watson was now the leader at the meetings and conferences of the Appellants who assembled quite frequently to discuss the situation and further the producing of their books, but what little ability he possessed was outweighed by his rashness and the looseness of his tongue. Educated at Oxford, and at the secular college at Rheims, he had come to England in 1586 as a missioner, had been imprisoned, had disowned the Babington Conspiracy and so won at an early date the distrust of the Jesuits. He was the author of the most effective and also of some of the most violent and intemperate of the secular productions. According to Parsons, he was "so wrong shapen and of bad and blinking aspect as he looketh nine ways at once, as scarcely he can observe anything that toucheth not his eyes." He first appeared at Rheims, as "a poor little begging boy, where being taken out of charity, his first allowance was for a good time pottage only, and licking the dishes which other men had emptied before him, after that he was admitted to make beds, sweep chambers" and the like.[1] Parsons' books are full of such characterisations.

This William Watson, assisted by Barneby and Clark, two other Appellants, was one Sunday evening about to say mass at the Clink prison to about forty Catholics, mostly poor women. The altar had been prepared, the candles lighted, the robes donned, when suddenly in burst the pursuivants of the Chief Justice and carried them all to close confinement. On the next day, Watson was sent for by the Archbishop and brought to Lambeth, where Bancroft gave the keeper a warrant for the priest's release signed by Cecil and himself; in a similar way, most of the others were freed.[2] This incident only rendered Watson more confident and bold, and as he came each week to fetch the letters which were directed to him in the care of Bancroft at Fulham, the insolent bearing of this stunted, blear-eyed priest with the rusty-brown hair, who came in broad daylight to a bishop's palace, roused the Protestant ire of one of Bancroft's servants named Fairwether. One day in June, 1602, as Watson and his man were entering Fulham Palace, the fellow openly derided the pair. Hard words passed between the two

[1] *Manifestation of the Great Folly . . . of Secular Priestes,* 83.

[2] Rivers to Parsons, April 28, 1602. Foley, *Records,* I, 28.

servants, each vowing revenge, and that night Fairwether, with the coöperation of a local constable, broke into Watson's lodgings to arrest the servant as a priest in disguise. The noise they made in forcing the door soon collected a crowd, which followed the two officers upstairs. They burst into Watson's room, surprising him in bed with the glare from their torches, and Fairwether proceeded to denounce the astonished man to the gaping crowd as a priest, a writer of foul books, and a man concerned in great treasons, assuring him that though "some bare with him," "ere long he should smart for it." But Bancroft saw to it that Fairwether and not Watson smarted for it. "And I am the rather induced so to doe," wrote the angry prelate to the Chief Justice, "because I doe greatly suspect he is animated against my directions; in that he used such tearmes unto him (Watson) concerninge his books, and the barring of some with him, which haue (as yu know) been very maliciously obiected against me."[1]

Early in May had come the first trustworthy news from Rome.[2] The chief point at which the Appellants had aimed had been the legality or illegality of Blackwell's declaration that they had been guilty of schism in refusing to recognise his appointment until it had been confirmed by papal brief. At last, the obstacles which Parsons interposed[3] were overcome by the French Ambassador and they were received by the Pope, who took them sternly to task for supporting a heretic Queen, for presenting an appeal to the Curia by means of money advanced by heretics, and for refusing to obey

[1] Bancroft to John Popham. Harleian MSS. 360, f. 36. June 5, 1602. Original, signed. Printed accurately by the Catholic Record Society, (1908) 391. If the following Jesuit report were true, Bancroft would hardly have been so frank with the Chief Justice. "The Lord Keeper and the Chief Justice do much mislike that, by the favor of the Bishop of London, the appellant priests have such liberty and now it is expected that they and all others here imprisoned shall be sent to Framingham, except Edmonds in the Tower whose arraignment it is thought is intended." Foley, *Records*, I, 22. Father Rivers to Father Parsons, from England, March 3, 1601-2. See, however, Thomas Phelippes to Lord Cobham, S. P. Dom. Eliz. 279, no. 109. June 13, 1601.

[2] Bancroft to Cecil, May 9, 1602. Hatfield MSS. 93, f. 34, holograph. Rivers to Parsons, May 12, 1602, (Foley, *Records*, I, 34) May 20, (*Records*, I, 36.)

[3] According to de Béthune, Parsons did his best to prejudice the Pope against them, telling him "que ces prêtres et quelques autres etaient des personnes inquiètes, qu'ils avaient désobei sans sujet à ceux qu'il avait établis sur eux, et outre cela qu'ils avaient fait tout plein de livres dans lesquels ils parlaient trop librement ou même scandaleusement de l'autorité du Saint Siège." De Béthune au roi, 4 Mars, 1602. (N. S.)

the Pope's agent, the Archpriest. As to their attitude towards a toleration in England, recorded Mush in his diary, his Holiness said that, "For a toleration or libertie of conscience, in England, it would do harme, and make Catholics become heretics; that persecution was profitable to the Churche, and therefore not to be so much laboured for to be averted or staied by toleration."[1] Finally, thanks to the good offices of the French Ambassador and the real justice of their case, the Inquisition decreed on April 4, that they had not been guilty of schism and had not incurred the loss of their faculties.

Although this victory lightened their hearts, put spurs to their flagging energies, and excited their friends at home beyond measure, the real battle was yet to be fought for which Bancroft had sent them to Rome. He at least expressed no undue elation over the results thus far attained.[2] On March 6, the Appellants had petitioned the Pope to substitute for the Archpriest a regular episcopal organisation with an accredited secular representative at Rome; to take order for the fair and proportionate distribution of the alms fund; to exclude the Jesuits from the English seminarist colleges abroad; and to forbid all clergy of all grades and ranks to concern themselves in political affairs in any way; and finally to accord them permission to reveal all plots against the State or against the life of the Queen.[3] Upon this most important petition, no action had as yet been taken, nor would be if Parsons could prevent it, as Bancroft very well knew.

After all, behind the Jesuits' contentions there was a certain equity. The English Mission, as it stood in 1602, was almost entirely the product of Jesuit skill and Jesuit resources. They had taken the initiative when all others drew back in terror. They had educated priests in Europe, brought them to England, secured contributions from rich laymen for their support, and provided them asylum in a land where death was the penalty of priesthood, and had done this in order to create a body of men capable of preserving the spark of loyalty to Rome in the hearts of the English Catholics and of directing them when the great moment for the restoration

[1] This account is from Mush's own diary, *Archpriest Controversy*, II, 6.

[2] Bancroft to Cecil, May 9, 1602. Hatfield MSS. 93, f. 34.

[3] The petition of March 6, to the Pope is in the Latin in *Archpriest Controversy*, II, 103. Compare with the letters on p. 152-177. The ablest of the secular tracts is Colleton's *Iust Defence of the Slandered Priests.*

of Catholicism should approach. Was it to be expected that they would surrender the coign of vantage without a murmur and without a struggle? Was it not in a sense true that the hand which had shaped the English Mission was best fitted to direct it in the future? To a very considerable extent, the arguments upon which Parsons relied against the priests were also true. He pointed out that, at the most, the priests discontented with Blackwell's rule were not more than a tenth of the clerical body, and that it was unfair to the majority to alter a government which was satisfactory to them, merely to please a small minority who were, very likely, actuated by selfish and personal motives. The Appellants, he thought, wanted to get the power into their own hands, and wanted more than their fair share of the alms fund. Again, an ordinary episcopal organisation was too elaborate, cumbrous, and slow for the needs of the priests then in England, and was, moreover, so much more difficult to conceal, that it was, to say the least, impolitic at this juncture to make any such innovation. Until affairs were more settled, the very minimum of organisation, as untrammelled by tradition and legal forms as possible, was the safest. Certainly, too, Parsons was right, when he said that negotiations with the English government and the publication of books which described the conduct of their fellow Catholics in anything but temperate language, did not tend to further the general Catholic cause, and only played into the hands of the wily Bishop of London. Once Parsons' premise that the supreme good was the conversion of England is admitted, his position is logically unassailable.

Parsons, however, was an excellent preacher, but by no means so moral in his practice: having reason and logic behind him, he descended to ordinary deceit. To keep Bancroft in good heart, he penned a series of letters, ostensibly to his Jesuit friends in England but really meant for the Bishop's eyes.[1] "There is no doubte," declared a letter of May 4, "but that the propositions of the Appellants wilbe solemlye condemned." "I marvayle," pleasantly continued the writer, "what my L(ord) of London will gayne by them at the last." Other letters predicted total failure: the Pope and Cardinals were weary of "such great clamours on such small

[1] These letters are in the S. P. Dom. Eliz. vol. 284, no. 4, enclosure; no. 25, i; no. 89; no. 89, i. May 4, June 4, July 30. See also *Venetian Calendar*, IX, no. 1036, 1052, 1061, 1066. There was much intentional deceit to mislead spies. See Note C at the end of this Chapter.

grounds:'' the Appellants' grievances were considered trivial: and they had, in addition, been unable to substantiate them. Bancroft, so the writer averred, was but playing with the priests and some thought he had himself written the books published in the priests' names. ''It is thought he will get little by this new stratagem . . . Truth and virtue will prevayle in the end.'' Parsons also published a book entitled ''*A Manifestation of the Great Folly and bad spirit of Certayne in England calling themselves secular priests,*'' in which he vilified the character of all the Appellants with little regard for truth. According to Rivers, Bancroft was so pleased to see the tract that he told the gentleman who brought him a copy ''that if he had brought him £100 he could not have done him a greater pleasure, and, scratching his elbow, said that this was that he looked for all this while, viz. that one should write against another.'' [1] In fact, ''he exulted beyond measure, saying this would stir up the contrary party to more invective writings, which was the main point that he most levelled at. He termed both sides knaves, but the appellants good instruments to serve the state.'' [2]

He was himself at work upon a book which he hoped would discredit the Jesuits. Father Weston, the Jesuit who had begun the ''Wisbeach Stirs,'' was a man of excitable temperament and believed that he possessed the power to cast out devils and exorcise evil spirits and witches, and indeed, eye-witnesses declared that he had shown them great numbers of devils gliding about under the skins of the possessed, like fishes swimming. Bancroft meant to expose his proceedings and those of his associates, and, with a perseverance worthy of a better object, was, in the summer of 1602, very busy examining witnesses, ''for that he meaneth,'' says Rivers, ''nothing shall be said in his book but that which is avouched for by the oath of others,'' [3] showing once more that same habit of careful historical investigation which we have already seen was a distinguishing trait of his work. The book was finally published, in 1603, by his chaplain, Samuel Harsnet, as *A Declaration of egregious Popish Impostures,* and is interesting chiefly because Shakespeare utilised the names of the devils and fiends in his tragedy of ''King Lear.''

Finally, toward the end of June, came two letters from Bluet,

[1] Rivers to Parsons, June 28, 1602. *Ibid.* I, 42.
Foley, *Records,* I, 39.
[2] Rivers to Parsons, July 7, 1602. *Ibid.* I, 39.
[3] Rivers to Parsons, June 28, 1602.

which, without entirely relieving Bancroft's suspense, made clear to him how many obstacles they had had to contend with. "Mightily I am impugned by Spayne and all the Jesuites." "Infinite lyes are spred here to dishonour her Majestie, the Honourable Secretary and your Lo. First my Lord of London was prisoner in his owne house for permittinge Bluet to appeale and Mr. Secretary was likewise in disgrace for the same, but that he was very wilye, layd all upon London. This went for one weeke currently. Secondly, the Bp of London, the Secretary, and the Queene doe most tyrannicallye persecute agayne. For a priest, one of the Appellantes having robbed a catholick gent: who fled for succor and defence to my L(ord) of London and hathe betrayed sixe priests who are imprisoned, and others in great perill to be taken. This most current here on Ascension day. Walpole and Parsons with the two assistants that came of late doe spread this much and more. A booke also is sett forth in englishe and in latyn by Parsons synce our cominge hither, full of lyes: where my L(ord) of London hathe a parte amonge others. Yt was a worlde to see att my first arrivall how Ireland was by Parsons divided: no less than 12 newe Bushoppes were designed, the fier that was and yet is to be kyndled amongst yow I will doe my best to quenche when I come down which shalbe shortly by godes grace. I feare a figg or a dugg the Spanishe is too potent in this place. Yf the L(ord) Ambassador of ffraunce did not help me with all his might I could not stand here: and suer, it is that not for my sake he dothe it, but for her majestie's sake: whose honor and securitie in this courte he dothe tender and defende as farre as his owne kinges: so that I doe nothinge by worde or by writinge but he will peruse it first that nothinge be amisse: so that of all my doinges here he is witnes. . . . The pope is a good meeke prince, most willinge to pleasure her majestie, but on the other side the Jesuites and Spaniards are importunate and my purse is att an end[1] and here they proceede plumbeis pedibus." "I haue in this place," went on the second letter, "a thousand against me of great abilitie and might, besides ye Kinge and his pensioners. Yet three Lynes of her majesties hand had sufficiencie to drowne all. The good old man (i.e. the Pope) did demaunde it of me not once. Wo is me that I cold not

[1] According to de Béthune, June 15, 1602, (Couzard, 89) the Pope replenished it himself.

shew it: for then I had overthrowne all theire driftes and gotten all owt of theire handes, I meane ye Seminaries, etc. . . . The good old man is fatherly, but he hath many children, filios rubiginis. Parsons to do me villany with her majestie hath written in ye aduisoes of Rome (a thing here most usiall) that her majestie sent her Ambassadors to his holyness for her submission, promising to all Catholiques a tolleration in religion. Some letters haue beene shewed here as thowghe they had been myne.''[1] No more trustworthy information[2] can possibly be found than these secret letters of Bluet written Bancroft with his own hand, which Bancroft recognised as his, and which we still have transcribed in Bancroft's own handwriting, because he dared not trust a copyist with the information.

But neither good nor bad reports from Rome modified Bancroft's opinion of a year previous concerning the situation in England, that the priests and lay Catholics would, on the whole, follow the Jesuits and not the Appellants. ''To be subject to Blackwell,'' he wrote to Cecil, ''is to be subject to Parsons the vylest traytor that liveth, and consequently to the Kinge of Spayne. And do not the priests themselves (yt know of old all their secretts) confesse as muche? Would a state desire better warnings?''[3] Nevertheless, in August, Cecil received from abroad a communication from Dr. Ely, a highly respected priest, to the effect that the English Catholics were loyal, favoured the Scottish succession, and, in exchange for toleration, would pledge their support to James and to Cecil. Without this good will, said the Doctor, no King could ascend the throne.[4] But despite these and other assurances, both Bancroft

[1] Bluet to Bancroft, Day after Ascension day, 1602, Hatfield MSS., 96, f. 152; and Bluet to Bancroft, June 3, 1602, Hatfield MSS. 93, f. 108. The first is in the hand of Bancroft's secretary and the second in Bancroft's own hand. Although of so early a date, they did not reach London till June 28 or 29. Hatfield MSS. 93, f. 159. Bancroft to Cecil, June 29, 1602. Holograph.

[2] Bagshaw also wrote, on April 14, 1602, and gave an account of their partial success, spoke of Parsons ''foule speeches,'' and the unwillingness of the Pope to open the matter for a free discussion. ''The Cardinalls and the Embassadours countenance and favour so singular that they fear no oppression.'' Oscott MSS. Cod. 534, Apr. 14, 1602. See also ''Puncta quædam desumpta ex variis literis ex Anglia,'' June 19, 1602. Stonyhurst MSS. Anglia, A, III, no. 19. The appellants report a victory: the Archpriest says he does not know where to lay his head. This would seem to show that the news was current (though unconfirmed) at least as early as the middle of June.

[3] The letter of Bancroft to Cecil of June 29.

[4] *Archpriest Controversy*, II, 195. Printed in full.

and Cecil were convinced that they understood the situation better than a priest exiled in Champagne. "My Lord," wrote the Secretary to the Bishop, a month later, "I grow very tender in this business because I see how the Priests wold encroach and do giue cause to cary anew harder hands of them. Reade I praye you this letter and see whyther this be good geare and think of it my L(ord) for by God the Priests swarm. I neuer loued persecution but by hea(uen) I wold be loth to be concluded popish. yow and I will conferr of these things for we must neyther go too low nor too high."[1]

Meanwhile, Bancroft was growing anxious: all sorts of rumors were beginning to fly about the Court: the Seculars in London were murmuring that he kept them purposely in ignorance of the state of affairs; letters to Bagshaw in Paris only brought the response that he himself knew nothing, and thus, the summer and fall dragged wearily through.[2] At last, in October, arrived the Papal Brief of September.[3] From the Appellants' point of view they returned triumphant. The offending clause in Blackwell's instructions which he had interpreted as ordering him to consult with the Jesuits, was withdrawn and he was strictly forbidden to confer with members of the Order stationed either in England or abroad. Part of his assistants were now to be chosen from the ranks of the Appellants, while the publications of both parties were censured and silence for the future strictly enjoined. But, instead of a prohibition against clerical interference in affairs of state, stood an injunction against any communication with heretics to the detriment of Catholics, which was plainly aimed at the negotiations

[1] Sept. 30, or Oct. 1, 1602. Printed in *Archpriest Controversy* II, 245, without date, Mr. Law conjecturing 1593. But Bancroft's letter of Sept. 29, 1602, which this one of Cecil's answers point by point establishes the date beyond doubt.

[2] Rivers to Parsons, Aug. 25, 1602. Foley, *Records*, I, 45. Also see letters in *Archpriest Controversy*, II.

[3] A copy in Latin is in the S. P. Dom. Eliz. 285, no. 46, iv. A letter of Parsons in Stonyhurst MSS. Anglia, A, III, no. 22, Sept. 14, 1602, makes it clear that the general terms of the decision were outlined by the Cardinals in the Inquisition of July 20 and having been submitted to both parties to see whether or not they would be acceptable, both were so dissatisfied that the following weeks were spent in a futile endeavor to better the settlement. The appellants declared that "they could not possibly be under this Archpriest nor concurre with this kind of gouernment," but they begged "yt some of their company be assigned for Assistants in the present gouernement if it could not be changed, and the Archpriest should not be able to do without their consent." The final order was taken Sept. 6 in a special congregation of Cardinals.

of the Seculars with Bancroft. The hopes which had induced the Bishop to foster the appeal were indeed dashed. Nevertheless, to have accomplished this much in the face of the influence of the whole Jesuit Order, backed by the Spanish Government, was no mean achievement, and, more than all the arguments in their books, demonstrates the essential truth of the Appellants' charges, and the justice of their demands.

The Jesuits, however, were too shrewd to lose heart at this setback. Indeed, as Parsons at once reminded Garnet, the decision made no great change in the situation. "Yet, when all is done, matters are where they were at the beginning and nothing is altered of moment, for as for the Customer's (the Archpriest's) faculties, they are rather declared than abridged, and this was not a tyme to enlarge facultyes to him, except the contrarie part should have byn made desperate, upon any good occasion they may be enlarged easely, and many thinges are confirmed and enlarged also, as the chosing of the assistants, for ye time to come, the Confirmation of the gouerment of the Seminaries, with authority to giue testimoniall lettres, etc. And fynally, they are subiected which would not be subiect before, they are defended who were most impugned and condemned before, to wit, the ffathers, and the Clause of leesing of faculties by dealing by any means with heretickes will be a great bridle to many. And lastly, if you hold well your Station there with patience, silence and long animitye, and take heed of new occasions of exasperations, eyther by word or writing, you will see quickly that thinges will go well, for eyether they must acomodate themselues, or els do worse, and all the world will see where the fault lyeth."[1]

Yet, so far as the Government was concerned, this "sweete ende" of all controversies did not in the least alter the situation: Blackwell was still Archpriest and still inclined to the Jesuits: no papal ban had been imposed upon the political schemes of the Jesuits, while the small number of the Appellants, their long imprisonment, their lack of acquaintance with the present Catholic laity, coupled to their poverty, made it improbable that they could, as yet, command any considerable following. Hence, as an earnest of the fact that the government policy was to be the same, a proclamation ap-

[1] Stonyhurst MSS. Anglia, A, III, no. 24, Parsons to Garnet, October 19, 1602. Original.

peared on November 5, ordering all Jesuits and priests to leave the realm within twenty days but allowing the Appellants till the first of February for taking their departure. To those who would submit themselves to the clemency of the Queen, with an acknowledgement of their duty and allegiance, it offered some hopes of favour.[1] And to set the seal of decision upon this declaration, an unlucky priest who had just landed, was seized, tried, and hanged with unusual expedition.[2]

Having in a measure vented his displeasure at the papal decision, Bancroft soon learned that the priests were by no means as well satisfied with it as had been supposed. Parsons of course was already searching the new brief for legal loopholes and ambiguities, while Watson, Bishop, Bagshaw, and the other Seculars were holding excited and anxious conferences in London.[3] A new scheme of secular organisation was proposed[4] and some sort of an oath of allegiance was under discussion which should enable them to take advantage of the hint in the proclamation of November 5. In December, Bluet and his friends arrived from Rome and were straightway sent to Fulham.[5] After two days occupied in drawing out his knowledge, the Bishop informed Cecil that "the success of the Affayres from Rome is in no sort acceptable to the Appellants. So as I perceaue there is like to be another appeale a papa hispanizato ad eunde vere Christe vicarus. But as yet the pointe is not concluded upon."[6]

Long and eager debates followed in the secular conferences of which Bancroft was faithfully informed, and his advice constantly secured. The main trouble was, he declared, that every priest had his own idea of what their form of submission and loyalty should

[1] The drafting of the proclamation had taken some two months. Bancroft seems to have done most of it. Hatfield MSS. 96, f. 17. Oct. 17, 1602. See Rivers to Parsons, Foley, *Jesuit Records*, I, 47, (Sept. 15); and I, 51, (Oct. 15). An original printed copy is in S. P. Dom. Eliz. 285, no. 54. The same volume contains a draft corrected by Cecil. Perhaps at first, hearing good news from Rome, ideas were actually entertained of granting toleration. See a draft in Coke's handwriting of a commission to qualify the statutes against recusants. S. P. Dom. Eliz. 276, no. 108. Sept. 1602, (?) (dated by the Editor of the Calendar, 1600 (?))

[2] S. P. Dom. Eliz. 287, no. 50. March 9, 1602-3.

[3] S. P. Dom. Eliz. 287, no. 50.

[4] Printed in Latin in *Archpriest Controversy*, II, 209, 1602, fall. There is no proof that any attempt was made to put it into execution.

[5] Bancroft to Cecil, Dec. 26, 1602. S. P. Dom. Eliz. 286, no. 16.

[6] Bancroft to Cecil, S. P. Dom. Eliz. 286, no. 17.

be, and was quite unwilling to accede to any other.[1] Watson and Bennet tried to pour oil upon the troubled waters, and to secure some sort of a working compromise, but although some thirty priests or more had been concerned in the appeal, only thirteen could agree upon a form of allegiance, and the party was threatened with dissolution.

In the end, the oath they produced[2] was by no means radical enough to satisfy Bancroft, for, while professing allegiance to Elizabeth, and while promising to reveal all conspiracies against her, and to disregard any papal excommunication, the priests also proceeded to recognise in the fullest manner the apostolic authority of Clement VIII. "We will rather lose our lives," they concluded, "than infringe the lawful authority of Christ's Catholic Church." Inasmuch however as they could not legally swear allegiance to Elizabeth without denying the Pope, nor disobey a papal excommunication without infringing the lawful authority of the Church, the oath seemed to Bancroft quite worthless, except in so far as it disclosed the good intentions of men struggling with two incompatible convictions. But the only modification which the priests would make in the document was in their own favour. On the last day of January, four of their number brought it to Bancroft,[3] with a clause now appended which declared that all who did not sign it within forty days, should derive no benefit from the amnesty of the Proclamation of November 5. They thus extended their time of probation forty days.

The priests who brought it enlarged at great length upon the inexpediency of imprisoning them, even though they did not renounce their religion and their functions as priests, for those of the laity who now followed them would, in that case, join the Jesuits, and the latter's schemes meeting no opposition would march on with greater rapidity. As to the forty days, wrote Bancroft to Cecil, "I thinke theyr drift therein is: first to see how they fowre

[1] Bancroft to Cecil, Feb. 1, 1602-03. Hatfield MSS. 91, f. 89. Original, signed.

[2] The form signed by the thirteen priests is in Tierney, III, clxxxviii. There are two drafts of it in Petyt MSS. 54, f. 233, and 54, f. 396. (Still in MSS.) Two other forms printed from Petyt MSS. in *Archpriest Controversy*, II, 246, 247. The original endorsed by Bancroft seems to be that in Harleian MSS. 360, f. 30; Book III, Chapter III, contains an account of the growth of the oath of allegiance.

[3] The original endorsed by Cecil seems to be that in S. P. Dom. Eliz. 287, no. 14, 15.

who have offred themselves shall be intreated and that they meane accordingly to frame theyr courses, ythe to come in, or as they say to renounce the benefit of the proclamation.'' Their protestations sprang, he thought, rather from a desire to secure relief in some fashion than from a deep and true feeling of allegiance toward Elizabeth, and as he pointed out to Cecil, little harmony prevailed among them. ''For ought I see nothing had been done at all by them, had it not been by theyr importunity (i. e. of Bennet and Watson) not that diverse of them were unwilling thereunto but bicause every one did expecially insist upon his owne device, whereby they could conclud nothing, as in Mr. Benet's opinion they shold haue done.'' ''Mr. Benet and Mr. Watson are much moved with this theyr presumption; in taking upon them to prescribe in effect theyr owne conditions.'' [1] Indeed, nothing attests so well to us how far Bancroft had gone in his advances than this very boldness of the Seculars and their belief that he would accept such an ambiguous test as they offered. Popham, the Chief Justice, was instructed to interrogate the priests, in order to ascertain just how far they would go. He asked Bluet, Charnock, and Heborne if the Pope could excommunicate the Queen in order to restore religion by force. They replied that he could, but if he did, they would disregard it. This result was speedily whispered around, and it was said that Cecil was amply satisfied and that the Appellants had all taken the oath of allegiance.[2]

And so, in the first tournament, Parsons had been more than a match for Bancroft, not indeed because the Appellants had proved themselves unworthy instruments, not because the methods adopted had been ill devised or ill fitted for the task, but because the English Catholics were still too firmly in the grasp of the Jesuits. It was not to be expected that where it had taken the Jesuits years to weave a web which should hold the English laity firmly to Rome in the face of penal laws and proclamations, such bonds should be severed in a few months by some thirty priests without money and almost without friends. A decree from the Pope banishing all the Jesuits from England and forbidding the clergy to join in political schemes, might have accomplished the desired end, but nothing

[1] Bancroft to Cecil. Feb. 1, 1602-03. Hatfield MSS. 91, f. 89, Original, signed.

[2] Stonyhurst MSS. Anglia, A, VI, no. 38. Feb. $\frac{9}{19}$, 1602-03.

short of such a *coup d'état* in their favour could have enabled the Appellants to rally the clergy and laity around them. What was now needed was some great event which should put all parties to the test and, by making clear the relations between them, dispel the clouds of doubt and suspicion which shrouded each from the other.

As yet, no direct result had appeared from Bancroft's relations with Bluet and his associates; as yet his policy and aims, which were to play so large a part in the history of the last five years of his life, were only adumbrated in his mind, for as yet the forces with which he had to work were so complex, so poorly defined, and the Seculars so hesitating and unreliable in their professions and beliefs, that no final policy was possible. Until the discovery of the Powder Plot in November, 1605, the Catholic situation remained practically unchanged, and, until then, therefore, we must leave it to consider other problems of more immediate importance.

One result of great significance, however, had already become evident from Bancroft's dealings with the priests: he had split the Catholic party into two well-defined parts, and had fostered the ill feeling between them by means of the appeal to Rome and the partial victory there of the Seculars, and by the publication of the books against the Jesuits, until the rupture seemed to be and, in fact was, past all healing. Parsons' indispensable condition for the conversion of England had been the complete unity of Catholic endeavour, and the employment of every ounce of strength and every penny of money toward the great end. But Bancroft, by the sedulous cultivation of the seeds of division and separation already existent in the Catholic party, had actually induced Catholic priests to herald forth to the world in print, Parsons' designs upon the English throne, and to add their own full determination never to yield to them. For the State at the moment, for the peaceable succession of James VI to the English throne, all this was profoundly significant, but it possessed for the English Church a seven-fold import. The Church had now instead of one opponent with a unified militant organisation to which all Catholics gave allegiance, two or three groups of quarrelling, discontented priests and Jesuits at swords' points with each other. Bancroft, by making unified Catholic action against the Established Church impossible, had destroyed the most dangerous of its enemies. Thereby, he made possible the reconstruction of the Church, which, for fears of ill con-

sequences from the powerful Catholic laity, Elizabeth had so long refused to countenance; thereby, he freed the English Church from that incubus whose shadow had so long haunted statesmen and bishops; thereby, he made it possible to bring to a crisis the Puritan difficulty, for it was no longer necessary to retain them, despite their nonconformity, as a foil to the Catholics. The Church was not yet strong, but one great obstacle to its reconstruction had been removed.

The forty days granted the Appellants to make proper satisfaction had not expired, when the news flew through England with incredible rapidity, arousing alternately exultation and apprehension, that at last the moment had come for which all parties had been so long preparing. The Queen was ill. Great Catholic nobles, full of hope, summoned their tenantry and drew forth from their hiding places the arms so long concealed. The Protestant nobles and gentry pushed forward apace the preparations for the desperate conflict which every one anticipated, which every one dreaded with a sort of apprehensive hope, but which none was willing to begin.[1] The Privy Council acted with the utmost promptness, closed the ports, stopped the mails, and detained all travellers where they stood. Bancroft placed under guard the principal recusants, allowed the priests in prison neither to leave nor to communicate with any one, and either incarcerated or carefully watched every Jesuit and priest still at large. During the last week of suspense, as the Queen sank lower and lower, the members of the Privy Council, afraid to trust themselves in the metropolis, met daily at Richmond. In London, the train bands were constantly under arms, and the rich merchants and tradesmen were burying their treasures or loading them upon wains and conveying them to places of safety in the country. "Every man's head," wrote an eye witness, "is full of proclamations as to what shall become of us."

On March 23, it was bruited abroad that the end was near. Whitgift and Bancroft were summoned to the Palace to give the dying Queen the last comforts of religion, and as Bancroft knelt, in his heavy episcopal robes, by the side of the gaunt frame, he must have realised that the greatest obstacle to the future welfare

[1] In *The Month* for June, 1903, Father Pollen has set forth the details of what he believes to be a final plot to set a Catholic Prince on the English throne.

of the English Church was passing away. As the darkness of the night began to melt into the grey of the morning, the last of the Tudors ceased to breathe.

The great Queen died famous. She had roused England to a sense of nationality; she had made it conscious of its own latent strength; she had given men a vision of the commanding position that little sea-girt isle would one day assume among the powers of the world, and had set their hearts aflame with the lust of power, of wealth, and of dominion over distant lands. The great problems, staring the nation in the face at her accession, were settled: England would never be Spanish, would never be Catholic, and would, sooner or later, be united with Scotland. Yet, great as the legacy of the Queen was to the State, she left little to the Church, save unsolved problems which she should have met, and a weak organisation which she should have strengthened. Having for the Church little personal sympathy and less vital interest, she had never advanced its weal unless the good of the State imperatively demanded it, and had never hesitated, on the other hand, to sacrifice it, present and future, to every passing political expediency. Her death freed the Church from an even greater incubus than the spectre of Catholic combination: both passed away together. As Bancroft emerged from the Palace on that memorable twenty-fourth day of March, 1603, he knew that James I would be proclaimed King at Temple Bar with the blare of the heralds' trumpets, and that riders were already galloping on the York post road in a wild race to bear the news to Edinburgh. The new reign had begun and the Bishop hoped that the long winter of his own disappointment and discontent would be turned to glorious summer by the accession of the new King.

NOTE A

Some little controversy has taken place between Father Gerard in *The Month* for January, 1897, and Mr. Law, in the introduction to the *Archpriest Controversy*, II, xvi, over the tenor of the "Constitutive Letters" in regard to the Archpriest's "obligation" to consult with the Jesuits. The words of the letter are as follows: To insure "complete union of mind and agreement between the Fathers of the Society and the Secular Clergy . . . : Curabit Archipresbyter in rebus maioribus iudicum quoque eius, consili-

umque acquirere." Father Gerard regards this as a general exhortation to concord: Mr. Law considers that it virtually placed the secular clergy under Jesuit control by forcing the Archpriest to consult with the Vice-Prefect of the Order in England. Careful study of the question seems to show that neither view is wholly right. Literally interpreted, the clause in question did not place any legal obligation upon the Archpriest to follow the Jesuits' counsel. It was permissive, not obligatory. Nevertheless, Blackwell certainly interpreted it and the secular priests certainly understood it in the latter sense; the whole proceedings at Rome were carried on upon this assumption; and thus while the words might be used to sanction either view, they seem to have been considered at the time to put the Archpriest under a legal obligation to inform the head of the Jesuits of all matters of importance.

NOTE B

There is no direct and unimpeachable evidence that Bancroft knew of the printing of these books, for he was far too careful a man to leave such traces behind him. In his large correspondence with Cecil and other men, there is rarely anything of first rate importance. But there is much indirect evidence which shows that he at least knew of the impression of the books and very probably that he encouraged them. First, stands the fact that, when in 1604 at the Hampton Court Conference, he was charged with connivance at them, Cecil defended him, not by denying it, but by declaring that his acts were authorized by the Privy Council. Indeed, the letter of the Council was broad enough to cover anything. Accusations of treason based upon these same practices were brought against him by the Puritans in 1604; the printers whom he had employed themselves gave the information. William Jones's deposition in S. P. Dom. Jac. I, VIII, no. 22 relates in detail the history of the Staffordshire presses and their printers, and seems veracious. Watson, author of several volumes and head of the Seculars in England after the banishment of Bluet and Mush, was regarded as Bancroft's special agent. (Foley, *Jesuit Records*, I, 38, Rivers to Parsons). Perhaps the most important and truthful of all the secular books, Bagshaw's *True Relation*, seems to be in fact a close answer point by point to Bancroft's "Forty-Five Articles of Inquiry." The books thus produced seem to be chiefly those bearing the imprimatur "Newly Imprinted." It may be added that both Mr. Law and Father Taunton fully believe that Bancroft inspired the printing of these books.

NOTE C

There was much writing to mislead each other, and much selling of secrets to both sides. Parsons saw to it that incriminating letters written by the secular priests found their way to Bancroft's hands. "My letter to Mr. Morus yt is sent back by Father Parsons and come into the Bishop of London's hand." Mush to Bagshaw, May, 1599. (Law, *Jesuits and Seculars*, 148). "There is one wayne man," wrote Bancroft to Cecil, April 10, 1602, (Hatfield MSS. 92, f. 111) "prisoner now in London, who as it is reported promiseth some service and is thereupon to be imployed beyond the sea (i. e. by Cecil). All which designment he acquainteth the Jesuites with and is directed by them, what he shall promise and undertake being wholly theire creature, and a false wretch, as I am informed, how truly god knoweth. But the parties yt enformeth hath not hitherto dubled with me." In February, 1601-2, a book was found which Popham believed, "should be a cunning Fetch contrived by the Jesuites, but I am not of his opinion," concluded Bancroft. (Hatfield MSS. 85, f. 39.) In their turn the Jesuits had spies in the Privy Council Office, and in Bancroft's own house. See *Spanish Calendar*, IV. p. 633; and Blackfan to Floyd, Sept. 7, 1599, Law, *Jesuits and Seculars*, 149.

CHAPTER IX

CONSTITUTIONAL PROBLEMS IN 1603

When we investigate the state of the Church at Elizabeth's death, in order to comprehend the reconstruction carried out by Bancroft under her successor, and when we seek for the "constitution" of the Church of England at that time, we are confronted by the fact, at once perplexing, anomalous, and even paradoxical, that there was no constitution of the Church. No single statute, canon, or article contained or professed to contain more than a fraction of the ecclesiastical law. Scarcely two of these numerous fragments had been enacted at the same time. A few had received the royal sanction; others had been authorised by Convocation: but a considerable number were only temporary forms and orders which the clergy themselves had issued by virtue of the authority and discretion supposed to be granted them by the Acts of Supremacy and Uniformity.

No two of these varied enactments covered precisely the same ground. The Statute of Uniformity established the Book of Common Prayer and legalised its use; but the vicar or curate, who read it, qualified for office under the Articles of 1575,[1] took an oath prescribed by the Articles of 1583, found the rules governing his apparel in the Advertisements of 1564, and from the same source received his license to preach. The minor points in the celebration of the service and in his parochial conduct were set forth in the Queen's Injunctions of 1559, while the house in which he lived, together with the glebe he tilled, was under the provisions of the Canons of 1571, and his tithes were paid him under the Act of

[1] The Canons, Articles, Orders, Injunctions, Visitation Articles, etc. mentioned in this chapter and in succeeding chapters have been printed by Edward Cardwell in *Synodalia, A Collection of Articles of Religion, Canons, and Proceedings of Convocations*. 2 vols. (Oxford, 1842); and in *Documentary Annals of the Reformed Church of England being a Collection of Injunctions, Declarations, Orders, Articles of Inquiry, etc.*, 2 vols. (Oxford, 1844). Some others not contained in these invaluable volumes are to be found in Wilkins' *Concilia*, in Strype's series, and in MSS. For these references have invariably been given. When no reference is given, the document will be found in Cardwell.

Edward VI. If he resided upon his cure but could not preach, the Articles of 1575 (art. xi) directed him to qualify himself by hard study. Were he, however, non-resident and unable to preach, the Canons of 1597 (art. iv) compelled him to provide monthly sermons. Two men who fell to brawling after church (as was a common occurrence) and broke each other's heads in the churchyard, would be punished under the Canons of 1571 (art. v); but, if they had quarrelled inside the church itself, they could have been haled into court only under article xxxviii of the Queen's Injunctions. The vicar's misdemeanours would be punished according to the old Canon law as found in Lindwood's Provinciale; but for plurality, simony, and non-residence, he would be sued under the Canons of 1597, and if he thought that the ecclesiastical judge imposed excessive fees upon him, he could have his remedy from the same source or from the Canons of 1585.

Yet, scattered as were the various topics of administrative importance, among the great number of Canons and Articles of differing authority and date, no one topic was exclusively treated in one place. The qualifications for the ministry were altered or amended in some slight degree, by nearly every document of whatever grade issued between 1559 and 1603,[1] and, in addition, no small part of them were in the statute of 13 Elizabeth c. 12. Non-residence, simony, and plurality had been the subject of numerous enactments and many of these later provisions contradicted or altered fundamentally the earlier orders. According to the Puritans, the Three Articles issued by Whitgift in 1583, were totally against the tenor of the statute of 13 Elizabeth c. 12,[2] and there also appeared another point fruitful of discord and provocative of disputes and recriminations, not only between the bishops and the Puritans, but between one bishop and another bishop, between bishops and the gentry on the presentation of some ignorant or nonconforming minister, and between bishops and the lazy and

[1] 1559. Queen's Injunctions, art. xxvi; 1559, "Declaration of Certain Articles of Religion . . . "; 1561, Articles of Lambeth; Articles of 1564 practically entire; Canons of 1571, art. i, sect. vi; 13 Eliz. c. 12; Articles of 1575, "touching the admission of apt and fit persons to the ministry and the establishing of good orders in the Church;" Articles of 1583, vi, vii, viii; Articles of 1585, art. i; 1586, order of Whitgift, (Cardwell, *Annals*, II, 28); Articles of 1588, art. v; and the Canons of 1597, art. i. Also a great number of administrative orders and letters which were practically enactments.

[2] This point is treated at length in Chapter IV, Book Second.

indifferent of their own clergy. Which of these varied enactments possessed the superior authority? Were the Queen's Injunctions issued by royal authority in 1559 superior in force to the Canons of 1571 which possessed only the sanction of Convocation?[1] Again, were the Articles of 1583, confirmed neither by Convocation nor by the Queen, to supercede mandates to which one or the other, or perchance both, had given their consent? It is difficult for us to comprehend how much friction was caused and promoted by such considerations. Where nearly half the clergy, for one reason or another, desired to evade conformity, a plea, so specious in its legality, was certain of numerous adherents. The new regulation was clearly intended to supersede the old, for otherwise it possessed absolutely no reason for existence, and, if it did not carry a sanction of itself, it was of no more value than so much waste paper.

Yet it was equally difficult to deny that, if the Queen's confirmation was of any legal effect at all, it must make a law superior in obligation to Canons without royal sanction; and *pari passu,* the approbation of Convocation, if worth anything, was necessarily of greater legal effect than the authorisation of the Archbishop alone. As a matter of fact, while the Queen had confirmed the Articles of 1585 and the Canons of 1597, she had really done little more than allow them to be printed with a statement on the title page that they had been approved and confirmed (*approbatæ et confirmatæ*) by the Queen's Majesty and were now issued "*reginæ auctoritate.*" Precisely how much did this approval mean? Did she confirm them for all time, or merely for her own life? Or was it during pleasure? There was in truth nothing in the records to render the point legally certain. Under this same difficulty, the Thirty-Nine Articles laboured. The ratification of 1571 stated that they were "allowed to be holden and executed within the Realme, by the assent and consent" of the Queen. Nothing was said of the nature of the assent, its duration, or its legal effect. On the other hand,

[1] "If your Grace did hear and see what contention and heartburning is kindled in many places, and what earnest disputations are maintained abroad for the bread, either part diversely affected, the one alleging the Book, the other her Majesty's injunction; the one affirming this, th' other that, to be of more force; in such dangerous bitter and daily striving, your Grace would think it not impertinent for me to wish a certainty; and one way to be set down for everybody, by such as are placed in high authority." Bishop Parkhurst to Archbishop Parker, June 6, 1574. Gorham, *Reformation Gleanings,* 490.

the Articles of 1575 had been "published by the Queen's Majesty's authority" but the preface mentioned neither confirmation, nor assent, nor consent, while the Canons of 1571, though passed by Convocation, had not even this uncertain testimonial of royal acceptance, but were published over the signatures of the archbishops and bishops. What exact authority did the latter enactments originally possess, and what was to happen on the death of the Queen who had licensed Convocation to draw up those Articles? The Advertisements of 1564 had been prepared by Elizabeth's stringent orders, but were not sanctioned by Convocation, received neither royal assent, nor privilege, nor any other sign of recognition, but were, in fact, promulgated over the signatures of the Ecclesiastical Commissioners. Without any of these forms of recognition, there were issued, in 1587, Whitgift's important Statutes for the ecclesiastical courts. These were signed by the Archbishop, sealed with the seal of the Province, and then formally approved by the Dean and Chapter, as had been Parker's Statutes in 1573.[1] The Articles of 1593 had none of these varied forms of acknowledgement but rested solely upon Whitgift's authority as metropolitan. His death, of course, made them invalid. So little regarded were the Orders passed by Convocation in 1593 that they were not printed and seem to have remained to this day practically unknown.[2]

Here, then, was a legal chaos. The Articles of 1585 and the Canons of 1597 had been "approved and confirmed" by Elizabeth. She had "assented and consented" to the Thirty-Nine Articles, and had allowed the Articles of 1575 to be published on her authority. Convocation issued the Canons of 1571; the High Commission stood sponsor for the Advertisements of 1564; the Articles of 1583 derived all their legality from Whitgift's powers as Archbishop, and the Queen's Injunctions had been issued by the Queen ostensibly without the consent of Convocation, Archbishop or Bishops. There was, at least, no legal and demonstrable proof that the Queen had expressly confirmed any canons or injunctions for a longer period than her own lifetime, and in the absence of any such attestation, their legal status must inevitably fall under suspicion

[1] The original vellum copy, signed and sealed, is in the Record Office, Case D, Elizabeth, no. 5. A late 17th century copy is in Tanner MSS. 315, f. 41 ff., from which Wilkins seems to have printed it in his *Concilia*, IV.

[2] They have been printed in full in the Appendix for the first time.

after her death. The other enactments, to which she had not even lent her name, could hardly be held legal after the power from which Convocation, the High Commission, and the Archbishop had derived their authority, had descended upon her successor. While we cannot definitely say that any of the various parts of the Church Constitution were illegal, or were void by lapse in 1603, it is sufficiently clear that there could be no legal certainty as to what was or what was not law until James I had taken some action. In any case, from the point of view of expediency, it was imperative that something be done.

The necessity was increased by the keen realisation of this difficulty by the Puritans and by their energetic assertion of it. "The Puritans say," declared Bancroft in his *Sermon* in 1588-9, "that since Her Highness's reign there hath not been in England any Book of Publick Prayer, and Order for the Administration of Sacraments, or any open Form for the outward Profession of our Religion, allowed at all by the Laws of the Realm."[1] "We cannot tell," declared Josias Nichols, in 1602, "whether we might by the lawes and order of this Realme subscribe, although it were otherwise lawfull by God's word."[2] According to a Puritan tract of the year 1605, "The Lawes and Orders of the Church remayne very uncertayne, so as it is not so certeyne to what lawes and orders established the ministers should conforme themselves. . . . The Canon Law is utterly voyd within the Realme and therefore your oath of Canonical obedience is of no force, and all your Canonicall Admonitions, not worth a rush. The old provinciall Constitutions intreat of no such oath, besides they litle or nothing respect any orders and Ceremonies of our Church." "Touching the late Canons, (i. e. the Canons of 1604) . . . (they are) voyd canons by the common law and statutes of the realme."[3]

But this method of action, based on the experience of the past, which for want of a better name we have called a constitution, had

[1] Hickes, *Bibliotheca*, 285.

[2] Josias Nichols, *The Plea of the Innocent*, 1602. He was the leader of the little band of Puritans in Kent.

[3] *Certaine Demandes with their Groundes drawne out of holy Writ, and propounded in foro conscientiae by some religious gentl: unto the reverend fathers, Richard, Archbishop of Canterbury, Richard, Bishop of London, William, Bishop of Lincoln, Gervasse, Bishop of Worcester, William, Bishop of Exeter, and Thomas, Bishop of Peterborough, whereunto the said Gentl: require that it would please their Lordships to make a true, plaine, direct. honest and resolute aunswere.* (1605) p. 49 and 50.

other obvious defects, which, though not so serious as the fact that it was, after all, a collection of scattered fragments, more or less contradictory and of questionable legality, did render it doubly hard to administer and certainly were, in 1604, powerful incentives to a reconstruction of the whole legal basis of the Church. The enactments were phrased in such equivocal terms that two or more readings were often possible, which gave ample opportunity for disputes, and lawsuits. The following phrase was an apple of discord. "Every Bishop (shall) take order that able preachers within his diocese do earnestly and with diligence teach their auditors sound doctrine of faith and religion."[1] But what was an "able preacher?" What was "sound doctrine?" The preacher in his ordination vow had agreed to search the Scriptures and teach his parishioners what he found therein. Article XX declared that the Church ought "not to enforce anything to be beleued for necessitie of saluation" beyond what was in the Scriptures, and yet here was an order, issued by public authority, voted by Convocation and confirmed by the Queen, apparently taking away from the individual what the Church had granted him and handing over to the Bishop the right to decide what was sound doctrine. In reality, that clause of the ordination vow was meant to lure the waverers from Rome, not to guard against dissensions within the Protestant ranks, for, at the time when it was made, it was not expected that anything but harmony could prevail among the reformers. The Bishops at once chose, as a standard of faith, the Thirty-Nine Articles, and the Puritan tried to take refuge in his reading of the Statute of 13 Elizabeth, c. 12, declaring that he was compelled to assent only to such of them as concerned faith and the sacraments. But who was to decide which of the Articles were thus concerned? The old dilemma had returned in another form, but as puzzling, as confusing, and as intangible as before.

No one could say what, in a legal sense, was sound doctrine because the formularies had been at first so drawn and the Queen had seen to it that they continued to be so phrased, as to bear a variety of interpretations. The Church must not be too unyielding to the pressure of that vast multitude of confused and contradictory opinions which Elizabeth knew existed in England. When a clear interpretation could be definitely agreed upon, it would be

[1] Articles of 1575, art. ix, Cardwell, *Synodalia*, I, 137.

time enough to make it into a hard and fast rule. Where the law had been drafted in such a spirit and couched in such equivocal terms, evasion was easy and casuistry very hard to resist. The Puritans realised that their whole safety lay in this latitude which the law allowed, while the Bishops, on the other hand, saw that the Church, which, as an established institution, theoretically held an exact position of some sort, was by this latitude and opportunity for variation robbed of all institutional strength and reduced in fact to utter impotence. Technically, the law of the Church did not recognise the existence of Puritans or, in fact, of sects of any description. Every man in England who could give his allegiance was theoretically a true member of the Church, where unity prevailed and no divisions were recognised. It was an excellent idea to allow sufficient latitude to include the moderates of all parties, who were willing to concede something of their individual prepossessions, to gain that strength and feeling of religious security which large bodies of men nominally believing the same thing do undoubtedly impart to each other. But when the possibilities of interpretation gave every nonconformist, however radical, however opposed to the spirit of the Church, some specious plea which would continue him in an office he never should have held at all, then the blessing became a curse. The principle which would strengthen the Church, if properly limited, was in a fair way to wreck its institutional life altogether by sanctioning so many varieties of observance and opinion that a nominal uniformity degenerated into a multitude of dissimilar practices.

Moreover, the law was evaded not only because it was vague, but because it provided no penalty for those who failed to observe its stipulations. The Queen's Injunctions contained fifty-three separate clauses, the Canons of 1571 numbered sixty-one, and the other enactments had about a dozen each. Yet, of them all, only fifteen clauses[1] were provided with penalties for non-observance, and few of these were more severe than a threat—"punitur," "patientur." Of course, the Puritans when punished for non-observance of some article at once cried out that they were "illegally handled" inasmuch as they were forced to undergo a penalty

[1] Canons of 1571, art. 2, sect. 3; art. 3, sect. 5; art. 6, sect. 2; Articles of 1575, art. 13; Canons of 1585, art. 3, sect. 2; art. 6, sect. 2; Canons of 1597, art. 4; art. 5, sect. 5; art. 5, sect. 6; art. 6, sect 4; art. 9, sect. 4; art. 10, sect. 4; art. 10, sect. 6; art. 11, sect. 3; art. 12, sect. 7.

which was neither statutory nor canonical. There were indeed penalties attached to most of the ecclesiastical statutes which were severe enough even for that day, but the enforcement of these had passed, in the majority of cases, from the ecclesiastical to the secular authorities. As Whitgift once said, let us know, not what we may do on sufferance, but what we can do of right. We are blamed for not enforcing the law but we have neither definite law to execute, nor penalties to inflict for disobedience, nor means to insure the observance of either one or the other.

Such was the law under which the Church was governed: a group of enactments without coherence or logical relation to each other, uncorrelated, possessed of no similarity of form, of structure, or of authority, and totally undeserving the name of "constitution." It was, however, elastic, and could be quickly moulded into a form consonant with the political and ecclesiastical needs of the moment. It was peculiarly English in that it consisted not of positive but of negative edicts, not of what the Church was, but of what it was not, leaving the actual Church to the imagination of individual men. The English way of doing things had never been, in any department of life, either logical, coherent, consistent, or perhaps explainable by any reasoning, but it had always been based upon experience. It was a method of action which had succeeded, in the past, in adjusting certain of the multifold relations between man and man, but Bancroft was positive that it could not last longer.

This "constitution" was, however, less the result of chance than of design. It derived its peculiar features, first from the theories of the early reformers, especially from Cranmer and Parker; and secondly, from Elizabeth's ideas of the relation of Church and State, and of the necessity of subordinating ecclesiastical desirability to political expediency.

Parker, the Archbishop, and to a less degree, Jewel, the theological champion, and Grindal, the Bishop of London, had been imbued[1] with the Renaissance and Reformation ideal that man,

[1] The letters and writings of the various Bishops are less full upon this point than one would wish. Two facts may be stated: (1) that each firmly believed his own ideas were those of primitive Christianity; (2) that Romish practices could not be too quickly abolished nor too severely forbidden. Beyond this all is uncertain, and any reasoning from single utterances is dangerous. The whole web of ecclesiastical politics was so complicated; the expediency of silence so well recognised; the interfer-

the individual man, was capable of deciding his own salvation. They seem to have been convinced that so great was the power of common sense, so transcendant was the latent force of the human intellect, that it would prove adequate for the solution of any problem if only it could have sufficient freedom. No better way could be conceived, according to their way of thinking, of solving this difficult task of reconstructing the Church than by submitting it to the collective wisdom of Englishmen. If discussion could be free, (save, of course, for that restraint needful to preserve public order and decency,) if the Scriptures in English could be put into every man's hands, and if then time enough could be allowed them to read, to discuss, and to convince each other,[1] there would in the end result a consensus of opinion as to what the form of the Church ought to be, which would be final, noble, and spiritual in the highest sense. Then with the plaudits of the majority of Englishmen, could be established firmly and confidently that form of state worship which should be most consonant with English habits of thought and with English institutions.

No advocate of this theory, however, entertained the slightest doubt that the establishment by law of some form of state worship was imperative, that obedience to that form, whatever it might be, must be enforced by temporal pains and penalties upon all who refused to conform to it. Nor had he a scintilla of doubt as to what that system would be. He had himself searched the Scriptures diligently and no more supposed that any other honest inquirer could arrive at a different conclusion than he mistrusted the verity of salvation. Indeed, the reformers were eager that all men of sufficient education should read, nay, that they should be compelled to read, because the facts seemed to be so clear, and the logical deductions so apparent, that they felt that every fair-

ence of the State so frequent and yet so hard to define, that any conclusion is tentative.

[1] "They shall discourage no man from reading of any part of the Bible, either in Latin or in English, but shall rather exhort every person to read the same." Queen's Injunctions, art. vi. "I beseech thee, good Christian reader . . . judge justly of that shall be alleged. Unless thou know, thou canst not judge: unless thou hear both sides, thou canst not know. If thou like aught, know why thou likest it. A wise man in each thing will search the cause. . . . Say not thou are settled in thy belief before thou know it. . . . Let reason lead thee: let authority move thee: let truth enforce thee." Jewel, Preface to the Apologie, *Works*, III, 122. "Let them give the gospel free passage: and then shall they forthwith see how all these shadows straight will vanish." Jewel, Apologie, *Works*, III, 68; cf. 57.

minded man, who read, must be at once convinced that their recommendations for the new Church were simply a restatement of primitive Christianity.[1]

But not even the most ardent advocates of this freedom of thought would have allowed it to lead to the reëstablishment of Catholicism, had such been the consensus of opinion. On the contrary they were impatient to see the Protestant and "true" religion firmly and promptly established, and the "papistical crew" cast out of the realm.[2] It is often hard to reconcile their complaints that Catholicism was not quickly and thoroughly exterminated with their desire to allow all possible latitude of discussion and lapse of time before inaugurating the new settlement. In their clamour for the establishment of "religion" rang in reality a cry for the extermination of Catholicism, not a declaration that a new Protestant Church should be immediately erected. Convinced in their own minds as to what the form of the true Church should be, they wished time to bring all other sincere but misguided men to their own way of thinking. While this consensus of opinion was forming, however, some adequate authority must take the place of the former papal control which had been repudiated, but it was thought that no more than the broad outlines of the renovated establishment needed to be sketched. No Protestant was to incur any penalties for discussing religious topics; and the clergy were expressly directed to exhort every one to read the Scriptures. This view was incorporated in 1562 in the Thirty-Nine Articles. Article VI declared that the Scriptures contained everything necessary to salvation. Article XX said that there were repugnant passages in Scripture, but that the Church possessed no authority to promulgate a definitive interpretation of the conflicting points, "and ought not to enforce anything to be beleued for necessitie of saluation," except what was in the Scriptures. The truth of Scripture was not for the Church to decide, but was left to the individual clergyman. In the ordination service, he himself undertook to read and search the

[1] "We have searched out of the holy Bible, which we are sure cannot deceive, one sure form of religion, and have returned again unto the primitive church of the ancient fathers and apostles, that is to say, to the first ground and beginning of things, as unto the very foundations and headsprings of Christ's Church." Jewel, Apologie, *Works*, III, 106.

[2] "I wish that all, even the slightest vestiges, of popery might be removed from our churches, and above all from our minds." Jewel to Bullinger, Feb. 8, 1565-6. *Zurich Letters*, 2nd Series, I, 208.

Holy Book, to pursue with diligence his quest for knowledge, and to teach his people what *he* found therein. Here was a most remarkable platform, which has been so overlaid with meanings grafted upon it, that its original significance has been too often forgotten. It embodied the Reformation ideal, that every man capable of judging should be allowed to judge, and that, only on this broad consensus of opinion, obtained by conviction of the intellect, could the new establishment safely rest.

Very dissimilar reasons led Elizabeth to precisely the same conclusions. With her hard common sense, the Queen saw the conditions much more nearly in their true light. She must make the definitions of her new Church as vague as possible in order to enroll under its banner every subject who could bring himself to abjure the allegiance to Rome. A Catholic in doctrine she might be, but a Catholic recognising the bonds of the Holy See, that she could not be. As the daughter of Anne Boleyn, the child declared illegitimate by papal bull, she could not accept the claims of Rome. As a measure of political necessity, she must establish at least the Protestantism of her father, but, in so doing, she was unwilling to do more than barely breathe into the Church enough life to keep it in existence. Like Parker, she wished the details to remain in doubt, not, however, because she had any intention of allowing the divines to decide them, but because she was by no means sure what the great bulk of the nobles, of the gentry, and of the common people would approve. They must not be offended and they must accept the new Church.

As time went on, the Queen became more and more wedded to her theory that the Church required no further constitution than the skeleton sanctioned in 1559 and 1562. The Bishops, however, soon radically changed their minds, for they found that most of their assumptions were without basis. They had imagined every one eager to probe with his whole heart the questions of the new Church; they had firmly believed that England contained enough alert, intelligent men, capable of forming an opinion, to convince the rest of the people, if once these men were agreed among themselves. But it became almost immediately apparent that they had miscalculated the number of clergy sufficiently learned to weigh the Scriptures as the ordination vow required. Then was borne upon them, with crushing weight, the fact that the great mass of

the people cared little for learning, and clung to the past, almost as much from habit, from ignorance, or from indifference as from conscience or conviction. Dimly, too, they began to realise that, even if independent judgment could be freely exercised, the means of communication were such as to prevent the wide diffusion of ideas and the creation of any real community of thought and feeling. But, chiefest of all, and hardest of all to understand, was the shattering of their belief that this searching of the Scriptures could lead to only one result. Still firm in their consciousness that their reading of the Bible was the only correct one, they viewed with grief and apprehension the almost innumerable variants upon their ideas which proceeded from men of learning. Then rose within them, that demon of old, the spirit of conformity, telling them that their bounden duty to their fellow men lay in the establishment of the one true Church, in the compulsory observance of its rites, and in the compulsory inculcation of its doctrine. Under such promptings, they began ardently to desire the firm settlement of the new Church, and, at the same time, to find that some clear and precise definition of it would be necessary if its administration was not to become impossible. Then, they came face to face with the facts, that the learned differed widely upon the form of the new Church, that the people cared little what it was, so long as they paid neither fines nor tithes, and that the Queen was determined, from political reasons, that no such definition of the Church position should be promulgated, and insisted that, as yet, the people had made no indubitable sign which would indicate what the majority of them would support.

Parker and Grindal still believed that the whole difficulty could best be settled by definitely crushing the Catholics, and by allowing the learned and educated Protestants, through debate and conference, to determine the form and doctrine of the new Church. Yet even they saw that the ultimate system must be a compromise, though they hoped to secure for their own views the preponderance. But the Queen had been unwilling to adopt such rapid measures, and although she allowed the ecclesiastics to publish the Thirty-Nine Articles, and the Book of Ordination, which embodied their policy, she waited nine years before placing upon those Articles the seal of legal confirmation, which was then forced from her only by the plots of Norfolk and the papal bull of 1571. Probably in 1564

began that change of episcopal opinion which culminated in 1580 and 1583, in Whitgift's and Aylmer's attempt to consolidate the "constitution," and to make definite and precise what had been vague and equivocal. They began to hate that double standard which the Queen erected, and which allowed Puritans and Catholics to remain unmolested within the Church to the wrecking of its institutional life. But the Queen refused their scheme, alleging as good reasons the dangers of the time. Her severe rebukes of Whitgift's measures toward the Puritans, in 1583 and 1584, were probably occasioned not so much by any belief that the Puritans were right and the Archbishop wrong, as by a conviction that he was striving to accomplish indirectly what she had expressly forbidden him to do openly.

Probably Elizabeth was right. To have enacted the settlement of 1604 (if it could have been done) in 1583 would have been a great mistake. The learned were still pretty confident that their violent differences of opinion arose rather from a factious desire to dispute than from any fundamental dissimilarity of view. Bancroft was one of the very first to see that this interchange of ideas was profitless and only promoted further discord, and to grasp the fact that Anglican and Puritan disagreed, not in minor points of the same verity, but in their whole attitude toward God and man. He saw with even greater clearness that so long as Church and State were vitally connected, so long as the Act of Supremacy with its penalties of treason and praemunire was in force, only one theological system was possible in England—a theory which should explain and harmonize the royal ideas of ecclesiastical authority with the Scriptures and the Fathers of the Church. The formation of a system by the threshing out of individual opinions was, no doubt, a grand ideal, but under the circumstances it was impossible, and it would, he believed, be far better to choose that system which was most consonant with the political situation, to establish it firmly and enforce it strictly, and so put an end to the confusion of tongues and opinions.

Then it was necessary that the great body of Englishmen should have clearly brought home to them, the fact that the Puritan demands, seemingly so small and so reasonable, masked a claim that the government of the Church by the bishops was wrong and that the remedy for the times was the eldership. In 1583, the Queen

herself did not see this: in 1604, every man in the streets had heard of it. Again, so long as the great body of moderate Catholics was hostile to the Church, nothing could be done toward a settlement, for they must enroll themselves in it if the new Church was to be sound, stable, and representative of what was best in all phases of English conservatism. It needed the days of the Armada and of the war with Spain, the times of the Archpriest Controversy, to make these moderate Catholics into loyal Englishmen ready to espouse the Church if only something were conceded in doctrine.

Last but not least, in 1583, the old generation that had seen Elizabeth ascend the throne was not yet dead, and the strong bond of tradition and habit still held them to Catholicism and to Rome. The settlement of the Church could not come till the ascendency had passed to a new generation, one brought up in the Established Church, baptised and confirmed under the Book of Common Prayer, and feeling toward the new ritual that same bond of habit and traditional reverence their fathers had had for the mass. The delay of the definitive settlement of the Church until 1604 allowed the various parties to gather strength and to develop their ideas into clear and well-understood formulas, and thus made the decision taken between them final. In fact, all the forces were intensified, the issues clarified, and the settlement, when it did come, was clearer, simpler, more precise.

CHAPTER X

CONDITION OF THE CLERGY, 1603

"He that goeth about to persuade a multitude," wrote Richard Hooker, in 1593, "that they are not so well governed as they ought to be, shall never want attentive and favourable hearers: because they know the manifold defects whereunto every kind of regiment is subject, but the secret lets and difficulties, which in public proceedings are innumerable and inevitable, they have not ordinarily the judgment to consider. And because such as openly reprove supposed disorders of State are taken for principal friends to the common benefit of all and for men that carry singular freedom of mind, under this fair and plausible colour whatsoever they utter passeth for good and current. That which wanteth in the weight of their speech is supplied by the aptness of men's minds to accept and believe it." [1] The evils before us are "the stains and blemishes found in our State, which springing from the root of human frailty and corruption, not only are, but have been always more or less, yea and (for anything we know to the contrary) will be till the world's end, complained of, what form of government soever take place." [2]

When the "judicious" Hooker penned these lines in his country parsonage some ten years before Elizabeth's death, he had in mind not only the readiness of men to believe that the Government is bad, not only the tendency to assign the faults so clearly seen in it to the wilful and intentional misrule of those in authority at the moment, but the extent to which men were, and still are, prone to believe that those who complain must be of necessity persons of probity and high aims. Subsequent historians have been perhaps too ready to follow the idle multitude whom Hooker censures, and believe that the words of the Puritans and other critics of the Establishment in the year 1603, should be treasured by posterity

[1] Hooker, *Ecclesiastical Polity*, Bk. I, Chap. I, 7th edition of *Works*, (Oxford) I, 198.

[2] *Ibid.* I, 147, Preface.

for a judgment on those then in authority. In our admiration for the "martyrs" to royal and episcopal misrule, we have been, perhaps, too ready to conclude that the evils were wilfully maintained by King and Bishops, and that reform was refused for personal and improper reasons. Our sympathy for the man pleading in vain for what we assume to be the same abstract principle we ourselves approve, leads us to impugn the motives, characters, and probity of those who opposed his demands, and causes us to forget that great institutional evils rarely spring from personal whims and caprices, and are seldom maintained by the individual wishes of a few men against an overwhelming public sentiment. They are, in reality, the product of far-reaching causes, of those "lets and difficulties" inevitable in "public proceedings," and therefore can be remedied only by the removal of the cause itself, which it is frequently beyond the power of public authority to accomplish even by extended and statesmanlike efforts. The condition of the clergy in the year 1603 was the product of elemental causes, sanctioned by the practices of nearly three-quarters of a century, bound up tightly in the intricacies of the politico-ecclesiastical settlement of the Church under Henry VIII, and with its roots sunk deep in the avarice, selfishness, and prejudice of men. No one had deliberately created it; few had foreseen any phase of it with an approximation of the real truth; the most prejudiced and selfish would not have ventured, in 1603, to declare it wholly desirable and praiseworthy.

The clergy were, on the whole, outwardly conformable to the laws and ordinances of the Church. Yet, the standard of conformity espoused by Elizabeth had been one easily attained, for "many learned preachers," declared Rudd, Bishop of Chester, in the Convocation of 1604.[1] "enioyed theyr liberty herein conditionally yt they did not by word or deede openly disgrace or disturbe ye state established." It was a political and not an ecclesiastical test which the Queen had instituted:—to sign the required papers under compulsion when confronted by the Bishop or his representative, to read the greater part of the Prayer Book, to wear the surplice occasionally, to say nothing in open derogation of the Church or of the royal authority: in brief, to give testimony before men by outward, visible and unmistakable signs that he espoused

[1] On May 23, 1604, Harleian MSS. 677, f. 41.

the religion established by law—this was Elizabethan conformity. It brought with it, however, no guarantee of learning or of consistent endeavour; gave no assurance that the minister would always and punctually observe the rites and ceremonies required by law; did not vouch for his doctrinal soundness and contained no pledges of loyalty to the Church as an institution. In brief, instead of being really a proof of ecclesiastical conformity, it was nothing more than an agreement of political loyalty. To say, therefore, that the clergy in 1603 was conformable meant only that it was not actively hostile to the Church to which it belonged.

The cathedral clergy and the episcopal officers were almost without exception men of university training with one or more degrees, though they were, naturally, as they are to-day, of varying grades of ability.[1] But the parish clergy was, for the most part, ignorant and without degrees. In the South of England, particularly in London and Middlesex, Kent and Sussex, and in the East, in Norfolk, Suffolk, Essex, Bedfordshire and the vicinity, the learned men were considerable in number. But in the Southwest, in the West, and in the North, the ignorant formed an overwhelming majority, and through the Midlands, especially in the great diocese of Coventry and Lichfield, they predominated.

The Bishops reported, in 1603, that 3352 out of 8179 clergymen in the Province of Canterbury, and 454 out of 1065 in the Province of York possessed degrees, and were also licensed preachers. They also gave the names of 904 who were preachers but who had no degrees.[2] We know also that men with degrees were not always licensed to preach, and that many without either degree or license, expounded a text every Sunday. Again, many of the reports, both in 1592 and in 1603, made a good many categories of the "ignorant." The Bishop of Coventry and Lichfield was able thus to

[1] See Le Neve, *Fasti Anglicani*, passim.

[2] These figures come from the return covering all England, which the Archbishop presented to the King in 1603. This document is in Harleian MSS. 280, f. 157, and has been printed at the end of this chapter, where also will be found tables compiled from the original detailed returns of various bishops made in 1592 and preserved at Lambeth, (Carta Miscellanea, XII and XIII); and in 1603, preserved at the British Museum (Harleian MSS. 595, signed and sealed). Such compilations which we ourselves can make from an official return which contains details for every parish seem to be as nearly final as any evidence we could ever have. The other voluminous manuscript evidence, and some of the difficulties in its use are considered briefly in a bibliographical note in the Appendix.

distinguish between those who had studied at Oxford and at Cambridge without receiving a degree, those "well exercised in Sacred Letters," those "mediocriter learned," "the scholares rurales," and finally the unlearned.[1] While, therefore, according to the episcopal estimate, about half the clergy were university graduates, the remainder were by no means considered ignorant. Indeed, the bishops would not have admitted that the unlearned exceeded twenty-five per cent. of the total number. Thus, the Bishop of Gloucester reported that seventy of his clergy had degrees and were preachers; that twenty-two were preachers but were not graduates of the University; that one hundred and forty were "sufficient scholars" but neither preachers nor graduates; and ended by declaring that twenty-nine men were unlearned.[2] Of the clergy who had degrees, the Masters of Arts were the most numerous, being twice as many as the Bachelors of Arts, and six times as numerous as the Bachelors of Divinity. It was not without significance that two hundred of the clergy had doctors' degrees.[3]

We must be cautious, however, about accepting these facts too literally. The condition of both universities was such that a degree was not infallibly the result of learning and application to studies while resident. Many men attended no lectures at all, read little, spent much time out in the country earning money as itinerant preachers and school masters, and the degrees were granted sometimes without proper examinations. "And so the University giveth degrees and honours to the unlearned and the Church is filled with ignorant Ministers being for the most part poor scholars."[4] There

[1] Lambeth MSS. Carta Miscellanea, XIII, f. 1. 1590 or 1592. Of the unlearned he found only fifteen, though the "mediocriter learned" numbered one hundred thirty-three, and the "scholares rurales" numbered one hundred ninety-six.

[2] Lambeth MSS. Carta Miscellanea. XII, f. 8, 1592.

[3] The derogatory statements of the Puritans must of course be discounted in face of these statistics. In 1606, it was said in the House of Commons that 2000 were preachers and 6000 were not (*Commons Journals*, I, 385.); that in Essex, one hundred sixty-three were preachers, against one hundred eighty-six who were not (*Viewe of the Clargie of Essex*); and that in Lancashire, forty preached against fifty-eight who did not. (*Historical MSS. Commissioners Report*, XIV, pt. IV, p. 7.)

[4] Whitgift to Burghley, Strype, *Whitgift*, I, 610, (1589); and a very illuminating letter of the Bishop of Norwich to the Vice Chancellor of Cambridge, 1598, Nov. 1. Baker MSS. M. m. L. 35, f. 80. "Many persons who since their departure from th'universitie have liued offensively and have bene therefore reiected by their owne B(isho)pps; pretendinge themselves by coulor of such Testimonialls to be universitie men, doe resorte to strange B(isho)pps and be ordred of them."

was no such gap, therefore, as might easily be imagined between the learned and the ignorant, between the men with degrees and those without. It was rather a series of imperceptible gradations, with a good deal of overlapping in the categories between the best men without degrees and the poorest with them, for the former not infrequently ranked first. Still, a university training however slight, was a decided acquisition and, other things being equal, its possession denoted a man of greater capacity and knowledge.

The number of ignorant men in the Church was naturally influenced by the fact that the Crown and laity controlled the presentations to the majority of all the benefices, and holding such views as they did of the subservience of ecclesiastical to political interests, preferred to appoint men who, although ignorant, were safe politically, rather than to take the risk that the man with learning might become troublesome.[1] Once in office, political expediency required that men should not be removed, except when their behaviour tended to sedition and popular unrest. Thus, the connection of Church and State, on the whole, increased the number of ignorant clergy, just as the control of presentations by the laity foisted upon the Establishment, from family, personal, or worse motives, many unfit men.[2] Nevertheless, the greatest and most important difficulties lay deeper than these, for the ignorance of the clergy was the product of many very complex causes.

The clergy were not only ignorant, but were, in many cases, pluralists, holding more than one benefice, and, of course, were nonresident from a physical incapacity to be in two places at once. It was said in Parliament in 1606,[3] doubtless with great exaggeration, that out of eight thousand clergy in England, not five hundred were single beneficed and not over two thousand were resident preachers. The Sussex Puritans, on the other hand, complained that out of three hundred ministers, fifty were double beneficed.[4] Clearly, both of these Puritan statements cannot be right, for it would be strange indeed, if one-half of all the single beneficed

[1] Evidence is abundant: Matthew Sutcliffe, *Treatise of Ecclesiastical Discipline*, (1591) p. 69; G. Downame, *A Sermon of the Dignitie and Dutie of the Ministerie* (1608) p. 33, 81, 86; William Barlow, *The Summe and Substence of the Conference*, 53, (1604), etc.

[2] Archbishop Sandys said (quoted in Hunt, *Religious Thought*, I, 77), "The disease spreadeth, for patrons gape for gain, and hungry fellows utterly destitute of all good learning and godly zeal, yea scarcely clothed with common honesty, having money, find ready entrance to the Church."

[3] *Commons Journals*, I, 385.

[4] Hatfield MSS. 103, f. 64. (1603)

men resided in the single county of Sussex. From another Puritan statement, covering this time the county of Essex, we learn that the pluralists were sixty-one out of three hundred thirty-five,[1] which would confirm our surmise that their number cannot have reached that total which the other Puritan's imagination conjured up. It is in just such cases as this, that we most need to remember Hooker's caution, for on no other points have the Puritan declarations been so often treated as the infallible truth as upon the condition of the clergy.

When we study the original returns submitted by the bishops in 1603, we find none of these reports sustained. The diocese of Norwich contained 1121 parishes, and yet in three of its four deaneries there were one hundred thirty pluralists, each of whom held two benefices, except one who held three.[2] In Shefford deanery in Bedfordshire, only three men out of twenty-three were pluralists and nonresident, and there were said to be only four pluralists in the numerous churches of the city of Norwich. It is nevertheless well enough established, from the correspondence, that most of the bishops and cathedral clergy were pluralists, holding from three to seven benefices at once.[3] Indeed, the Welsh bishops [4] and the Bishop of Rochester [5] derived a large part of their incomes from benefices held in commendam. The Bishop of Gloucester, in 1605, held in commendam the Deanery of Christ Church, Oxford, a prebend at Westminster, and two or three parsonages.[6] Bancroft relinquished eight benefices in 1597; Whitgift had five in 1571 and himself gave Parker's son four.[7] Most of the dispensations granted by the Queen, (fifty-one in 39 Eliz., and fifty in 43 Eliz.) [8] relate

[1] Davids, *Nonconformity in Essex*, 88.

[2] For this and other details, see the table at the end of this chapter.

[3] A paper of 1575 (?) in Hatfield MSS. 138, f. 132, states that 655 livings were held in plurality by 239 men, many holding three, and several, seven. Doubtless some change took place before 1603 in favor of more pluralities, which always tended to increase rather than to diminish. See also Strype, *Annals*, III, pt. i., 472-475. The Dean of York had five or six cures. (Blomefield, *Norfolk*, I., 17.) According to a paper somewhat to be distrusted in this connection because of its early date (very likely 1571), the total incomes of 150 pluralists ranged between £60 and £120, and 68 ranged between £30 and £40. Certainly not excessive amounts.

[4] The Bishop of St. Asaph held nine benefices with cure of souls and seven without cure. Strype, *Annals*, III, pt. ii, 471.

[5] £120 out of £140. Strype, *Annals*, IV, 316-7.

[6] S. P. Dom. Jac. I. Feb. 15, 1605. Docquet.

[7] Strype, *Whitgift*, I, 46, 162.

[8] Patent Roll, 39 Eliz. part 18; 43 Eliz. part 22. Those listed in the Calendars are too few and too scattered to be of any value for authenticating the number.

to the higher clergy and not to the lower. Thus while it is clear that pluralities were considerable in number, and did extend amongst the parish clergy, probably we shall err rather in making the figures too large than too small if we place the total at about a thousand men who held between them about two thousand five hundred benefices. Some few held many, most held only two; certain districts had none. Yet, on the whole, most of the benefices held in plurality were in the South and East. Statistics for the dioceses of Norwich and Winchester show that out of one hundred seventy-five pluralists, only twenty-nine were without degrees, and that the great majority were Masters of Arts or of higher academic standing. Fully half of the benefices were only a mile or less distant one from the other, and only one-sixth were more than ten miles distant. Nor did the value of the combined benefices in any case exceed one hundred pounds, nor in more than twelve cases exceed fifty. Indeed in a majority of cases, the total value was less than twenty pounds, and in thirty-two cases less than ten.[1]

Of the amount of actual nonresidence, we have no indications worth citing and can say with safety that it was very likely more than was wise and a good deal less than our imaginations would conjecture.

The ignorance of the clergy in general was surpassed by that of their parish officers, for, in many instances, the clerk could neither read nor write,[2] and the wardens and questmen were "commonly poor artificers or other labouring men."[3] Even when they possessed the best of intentions and the utmost good will toward the Church, men of that capacity could not very well make efficient administrators, and from their presence alone was sure to result

[1] Cases of pluralists in the diocese of Norwich: Alby and Thwaite were held by a man of eight years' standing in the University of Cambridge, a licensed preacher, a chaplain to the King. The two had been united by the Bishop of Norwich, were a quarter of a mile apart, and were worth £7 and £7, 11s. 8d., respectively. A Master of Arts held two benefices, three-quarters of a mile apart, worth, respectively, £9 and £5. Two benefices were held by a man without a degree, one mile apart, worth £4 each, and had been united by the Bishop. Another degreeless man held two cures one half-mile apart, worth £8 and £5, but he was a student at Cambridge and a licensed preacher. Stiffkey, two benefices both in the same church yard, one worth £6 and the other £18, were held by a Bachelor of Divinity. A Doctor of Laws held two benefices twenty-seven miles apart, by dispensation from the Archbishop under the Great Seal, one worth £17 and the other £16, 18s., 4d.

[2] Eleven cases in the Archdeaconry of Suffolk in 1606; seven in the Archdeaconry of Sudbury. Visitation Records.

[3] Strype, *Whitgift*, III, 375.

a great deal of nonconformity, caused purely by ignorance of the law and by inefficiency in executing what they understood it to be. Add to such a condition of affairs, the extreme slowness of communication which made it difficult to spread abroad any exact information of what the law was. Add to this, the weakness of the ordinary administration which rendered it difficult to force men to obey the law, and we need seek no further for an explanation of the existence in the Church of widespread nonconformity. Aylmer declared in 1581 that there were not in the whole county of Essex, with its three hundred fifty odd parishes, seven churches where the service was performed in identically the same way, and yet he could find only three where the Prayer Book was not used.[1] All this nonconformity, once brought into existence by the ignorance of the local clergy and officials, and by the weakness of ecclesiastical administration, was protected and supported by the political view taken of the situation at Whitehall, where, indeed, it was thought that nothing should be harshly treated except the open rejection of those few requirements which the State has selected as its test of political loyalty. Indeed, instead of wondering that the Church was full of shades of nonconformity, we may well marvel that so much uniformity of observance had been obtained under such very adverse conditions.

The Visitation Records abound with proof that nonconformity found its efficient cause, not in Puritanism, or Catholicism, and the pangs of conscience, but in the ignorance, inefficiency, indifference, and poverty of the lower ranks of the church officers. One of the ministers of the City of Norwich,[2] where we might expect to find Puritanism rife, was presented because "he readeth service disorderly and omittith parte." But he was no Puritan, because, as they continued, "they have scarse a sermon in the yere." The wardens of Thetford, Norfolk, reported that master Gallant "is no preacher, neyther procureth monthly sermons. He doeth not use such decensy in his Apparell as he ought to doe for he is very poore."[3] In one parish there had been but one sermon in four years,[4] others had had but one a year,[5] and eighteen out of fifty-one parishes in the Archdeaconry of Norwich, complain in 1597 that

[1] Strype, *Aylmer*, 133.
[2] Visitations of 1606, St. Michaels at Thorne.
[3] Thetford, St. Marie, Norwich Archdeaconry, 1606.
[4] Frethorpe, Norwich Archdeaconry.
[5] Wisbeach, Wisbeach Archdeaconry, Diocese of Ely, 1608.

they had no monthly sermons. Said the wardens of Eversden rather helplessly, "We have no sermons monthly and we have spoken to our minister in that behalfe but it will not prevaile."[1] The wardens of Stanian, diocese of Peterborough, presented the vicar in 1598, "for not wearing the Surplisse and not reading the booke of comon prayer accordinge to the lawe." The vicar replied that "he is redy and willing to weare the surplisse but for that there is no sufficient nor decent surplis nether is there any booke of comon prayer, but it is rent and torne and sayeth that he doth reade the same upon holy daies."[2] At Shadingfilde, Suffolk, in 1606[3] was one of the ministers whom the Puritans very likely and truly denominated "scandalous." "I. he is not resident. 2. he preacheth and expoundeth without license. 3. he weareth no whode being a master of art. 4. he omitteth to catechise the youth. 5. he doth not byd holy dayes nor fasting dayes. 6. he weareth not a corner cap. 7. he is a common drunkard and was drunke uppon the 14 of July, 1605 and was indicted for a common drunkard."

The rectors of many parishes curtailed or omitted service on Sundays[4] and holydays for reasons quite the reverse of conscientious. Michael Fludd of Thetford[5] "was absent about other matters so that they had no prayers read;" Mr. Tampion, the rector of Normanton in the Diocese of Peterborough, omitted Sunday service because he "was playing at the tables with the Scholemaster of Hambleton;" Thomas Sale, the vicar of Chatteres,[6] according to his parishioners, "medleth with worldly business too much, suffereth his clark to say service, bury, etc." The good people of Abington[7] declared that "manye tymes uppon Satterdayes and

[1] Eversden, Ely Archdeaconry 1596. The vicar replied that he preached every quarter.

[2] Peterborough Visitation, 1598.

[3] Other cases: Easthathlye, Ely Archdeaconry, 1578; Madinglay, *ibid.;* Blakely, Weldon Archdeaconry, (Peterborough) 1591; Stokedoyle, Oundell Deanery, (Peterborough) 1591; Epton, Northampton Archdeaconry, (Peterborough) 1598; Wingfeilde, Suffolk Archdeaconry, 1606; Ludford Magna, Lincoln, 1611. Ticehurst, Sussex, Archdeaconry of Lewes, 1588-9. "We have a great parish and our minister doth not minister the Communion not in six weekes sometimes. Our children are grown out of all good order by means of the negligence of our minister for that he doth not catechise them. . . . Our minister doth not minister the Communion at marryinge, he readeth not the commination against sinners, he instructeth no youth, he doth not stir up his parishioners by reading the exhortation at the administration of the Lord's Supper."

[4] Louthbesk, Ludburghe, and three others in Lincoln Archdeaconry, 1600, etc., etc.

[5] Archdeaconry of Ely, 1606.

[6] *Ibid.*

[7] Ely, 1578. Among the Consistory Court Books.

hollyedays evens he sayethe noe service at all but ys about his owne busynes. And he dothe not use himselfe as he oughte to doe, for yt he usethe himselfe more lyke a husbandman then a minister, for he useth to be with his plowe and Carte and other pointes of husbandry when he should be at service." There were many like him who laboured with the sweat of their brows to furnish their families with the bare necessities of life which their incomes were too small to provide.

Graver complaints still were not lacking. The minister of Therninge[1] held two small cures and strove to serve both on the same Sunday, without much success. "They have not had service in theire Churche," reported the indignant wardens, "vj seuerall sabaoth dayes since Easter last. Oftentymes he cometh at xj of the Clocke to serve them. They haue had but one sermone thes xij monethes." One of the Essex clergy had given notice to his parish that he would preach on a certain Sunday, and the people, who had assembled, as the custom was, in the churchyard before service, saw him, according to the Puritan story, ride up at a furious pace. Some, suspecting from his garb that he did not intend to stay, asked him whether he would preach or not. "He swore, so God should judge his soule, he muste and would go seeke his dogge which, as he said, was stolne, which he would not loose as he said for a sermon." Wherewith, off he went at a gallop leaving them to gossip about him.[2]

The ignorance of the wardens of facts which we should imagine they must have known, is quite astonishing. To the query of the archdeacon or bishop, whether their vicar was licensed to preach, the reply was in at least fifty per cent. of the instances that they did not know. Over and over again we read the entry, short but significant, the vicar "sayeth he is a preacher but whether licensed they knowe not."[3] "He doth preach euery Sondaye, not knowne to be licensed: he doth not weare the surples at all."[4] The connotations suggested by these entries are pregant with meaning. In the Elizabethan Church no one topic had been more insisted upon than that no man should undertake to preach without a license; it had been ordered by the Injunctions of 1559, by many of the

[1] Norwich Archdeaconry, 1597.

[2] "*Viewe of the Clargie of Essex*," (1610), 19.

[3] City of Norwich, parish of St. Benedict, 1606.

[4] Belsted Parva, Suffolk Archdeaconry, 1606.

Episcopal Orders and Visitation Articles, and should certainly have been understood as late as 1604. If, then, the wardens had not interest and ability enough to discover whether the vicar was licensed unless he chose to tell them, how could they be expected to learn whether or not he was conforming to the laws and ordinances of the Church, wherein he would certainly take great pains to keep them ignorant of those points wherein he departed from the order established. In short, it is evident that where nothing else had been told them, the wardens were quite ready to accept, without investigation, the vicar's statement of what was right and proper,[1] a point whose ramifications and results will appear more at length in the following chapter.

The wardens were also ignorant, remiss, and generally indifferent. One parish presented them because "the Tenne Comandments be decayed,"[2] though doubtless they referred to the condition of the tablet on the wall of the church and not to the state of morals which obtained in the village. Another found fault because the wardens had not informed the Archdeacon, "that they haue noe pulpitt there, that they haue not a decent surplisse and there are many thinges amisse aboute the Church,"[3] and while a third declared frankly that the rector did not wear the surplice because they had none decent and had not had for two years, yet the wardens neither presented it nor bought any.[4] Not infrequently the wardens omitted to come to Visitation at all: in 1594, in the Archdeaconry of Lincoln, twelve pairs of them failed to put in an appearance, and in 1601, eight more copied their example.

From this ignorance in clergy and officers, and from the indiffer-

[1] In February, 1573, the Bishop attempted to investigate the case of John Strowde, a Puritan minister, charged with baptizing his child by forms other than those in the Book of Common Prayer. The Churchwardens were asked whether Strowde had observed the Book. "Thereunto they answered. We know nothing but well saving that Mr. Strowd when his childe was Baptized tooke it into his owne armes from the midwife and did himselfe confesse the Child's faith and offered the Child to be Baptized and that William Flete and William Pix (were) standing by as witnesses of the same, desired by Mr. S., but whether they were godfathers or not and answered accordingly, we know not . . . " Fleet and Pix were then examined, who replied "that they did that which they were desired of the father, so did answer as much as was asked of them." The wardens could hardly have been trying to mislead the Bishop in order to shield the clergyman, because their statement revealed at once the fact that he had not observed the Book. Morrice MSS. C, f. 193.

[2] Camlingaye, Ely, 1608-9.

[3] Mophall, Ely Archdeaconry, 1606.

[4] Kirkbecke, Lincoln Archdeaconry, 1594.

ence which sprang from it, resulted the decay of the parish churches, although many contributory causes lent their aid to the work of keeping the edifices in disorder, confusion, and lack of repair. Elizabeth had early commanded the destruction of altars, rood lofts, and "objects of superstition," and had covered with thick coats of whitewash, "for seemliness and cleanliness," the walls, once gay with coloured designs and in some cases with pictures. Under the guise of this "reformation," the valuable lead had been stripped from the roof by greedy laymen, the bells melted down for the metal, the old brasses ripped off the tombs, and similar acts of desecration performed. Naturally Catholic and Puritan gentry were not eager to repair the buildings of the Established Church, and many of the former certainly assisted their downfall with the happy inspiration that, if there were no church building in their parish, no one could blame them for not attending church. Some of the Norfolk gentry used the edifice as a cart house, others as a stable, and many kept pigeons in the belfry.[1] So scarce, too, was money amidst the general rise of prices, that little was available for repairs, had the people desired to make them. Then, the Reformation, in distributing the monastic lands among the gentry, and in selling presentations, had failed to fix clearly where now rested the duty of mending the marks of time and of pillage. The patron, the vicar, and the parishioners, all refused to contribute, each insisting that the duty rested on some one else, and, while they wrangled over a question which in most cases threatened never to be settled, the decay progressed rapidly. In fact the state of affairs in 1600 was very much what it had been in 1560, for, while in some places repairs had progressed, in others they had retrograded. Many causes had therefore contributed to the general result, but certainly none had been more powerful than the general indifference of the parish officers and their incompetence.

The condition of the church at Elme, in the Archdeaconry of

[1] The churches at Earlham, Bowthorpe, Cossey, Easton and Runhall were reported as in ruins. (Visitations 1602.) Mr. Yaxley at Bowthorpe "converted it (the church) to a barne, and the steeple to a dove house." Egmeare, "is a parsonage presentative. The Patron is Sir Nicholas Bacon, Knight. The Church is prophaned and made a bearne. Ther is but one howseholde in the towne, yt is valued at viij li." (Bishop's Return, 1603. Harleian MSS. 595, f. 139 b.) At Mannington there was but one house in the village. The rector of Bayfilde was non-resident but the single inhabitant went to hear the curate. (*Ibid.* f. 130, 132 b., 136.)

Wisbeach, diocese of Ely, in 1605, found a counterpart in many districts. "The north dore of the Church is of the hooks and hath bene for these two or three yeares. 2. and the Churchyard fence is insifficient. 3. There is noe Clarke. 4. The minister's seate in the Church is not a comely and convenient seate, for it is open on both sides or endes, so that the dogges run throughe yt and trouble and disturbe him in tyme of prayers and service. 5. There is noe ready or fitt passage up into the pulpit there, but one must clim over men's backs when he goes up to preache, which is unseemly. 6. The pore men's box is not kept as it ought to be. 7. The Comon Chest in the church hath not lockes and keyes, as is appointed, and it is so decayed, that mise and ratts may lye in the surplisse and defile the chalice." At Barnham, Suffolk, "the parson is not resident upon his rectory but dwelleth in the towne . . . Ther is only a piece of barn standing on the Rectory."[1] In some churches, the chancel had no roof "so that the rain and snow fell upon the parson and worshippers;"[2] In very many there was no glass in the windows, and elsewhere the floor was so rotten that a man could hardly walk across it without breaking through. Not only was the right to build pews a great bone of contention, but those erected must have been a nuisance to all but the owner, if they resembled one at Langley Marish, Buckinghamshire. This pew was built on the roof of a vault, nine steps up from the church floor; it was seven feet high, seven yards long, was roofed in and had eight latticed windows on the side toward the congregation; one door opened into the building while another gave access to the churchyard. It was, in fact, a church within a church, which completely hid the altar and minister from the parishioners who had to sit behind it. The lesser aped the ways of their betters, and strove with each other, not infrequently with fist and tongue in the middle of the service, as to who should possess a certain bench or stool.

If the sixteenth century man lacked adequate respect for the church itself, he had none at all for the churchyard. Some vicars kept cattle there, for the fence prevented their straying and in that day fences were rare. Again and again we read of swine rooting up the churchyard, and one enterprising clerk in the city of Nor-

[1] Sudbury Archdeaconry, 1611. [2] Westwrathing, Ely Archdeaconry, 1596.

wich actually managed to keep there "a cowe, horsses and swine."[1] Misbehaviour in church was common, especially pushing people off the other end of the bench or knocking out their stools from under them. One unfortunate man was haled before the Archdeacon, "for that he did laugh and kick with his legges."[2] At Stamford, Lincoln, one John Brown out of spite locked the building, "so that the church wardens were forced to breake up the Church dore with a gravelocke," in order to get in.[3] Sir George Wrotesley and the Dean and Chapter of Salisbury Cathedral fell into a desperate dispute over the presentation of a rector to a certain church, each claiming the exclusive right. Wrotesley, hearing that the Chapter proposed to induct its candidate, determined to prevent it, and accordingly locked the church, instructed his men and his wife to allow no one to enter it, and left the district to avoid complications. On Sunday, arrived the Dean and the new parson, and ordered the servants guarding the door to open it. The men declared that their Lady had the keys; the Lady refused to surrender them; and in the end, the Dean and the assembled congregation were forced to go home. On the following Sunday, the new rector preached from the church porch to a congregation seated upon the tombstones in the graveyard, while behind him, on the doorstep, sat two stalwart men, armed with heavy staves, keeping the door.[4]

There can be little doubt, then, that the majority of the clergy were without degrees and, in consequence, presumably ignorant, unable to preach, and incompetent; that about a seventh or eighth were pluralists, and about a tenth constantly nonresident; that the church wardens were likewise ignorant and inefficient. Therefore, although the clergy and wardens conformed in general to the broad outlines of the ecclesiastical regulations, they were, in a multitude of small matters, nonconformists from tradition, habit, carelessness, ignorance, and in some cases from conscientious scruples. Their lack of ability and indifference was reflected in the decayed condi-

[1] St. Benedict, City of Norwich, 1606; Wisbeach, Wisbeach Archdeaconry, 1608-9; Elme, Wisbeach Archdeaconry, 1603; Boothby Pannell, Archdeaconry of Lincoln, 1600; etc., etc.

[2] Camlingaye, Wisbeach Archdeaconry, 1608.

[3] Stamford, Lincoln Archdeaconry, 1594.

[4] Record Office, Exchequer Documents, Q. R. Eccles., Bundle 7, no. 26. (1603)

tion of the parish churches, and in the lack in many places of the ordinary requirements for the service.

One cause of this bad state of the clergy lay in that fact to which we must constantly return if we hope to understand institutional history, that the Queen and her advisers cared little if the clergy was ignorant, so long as it was loyal, and were not disposed to place the latter in jeopardy on the chance of improving the former. But the great and all important fact which, properly comprehended, explains the whole condition of the clergy in 1604, lies in the state of ecclesiastical incomes. They were ignorant because the incomes from the vast majority of benefices in England were not sufficient to support a learned man, or to offer him any inducement. They were pluralists because only by combining the incomes of two or more cures could they be supported at all. They were nonresident because no man could reside at the same time in two places. "There ar in this realme," wrote Whitgift in 1585, "more than 4500 benefices with cure, not above the value of £10 in her Majesties books, the most of them under £8, which cannot be places for maintenance of sufficient and learned men, and in them now be theis meane ministers."[1] Out of the nine thousand benefices of the realm, he declared that there were not six hundred with a stipend really adequate for the support of a learned man.[2] The whole number of benefices was 8803, of which 4543 were rated at less than ten pounds each.[3] Of these 2978 were rated at five pounds and less, which was felt to be so small that they were discharged by Parliament from payment of first fruits. One thousand of these were rated at two pounds and less. Of the remainder, 1445 were rated as ten pounds and less than twenty marks; 1604 as above this class but less than twenty pounds; 593 were rated as above the last class, but less than twenty-six pounds. Thus, 3642 were rated between ten and twenty-six pounds. Between this class and thirty pounds were 206: between that and forty pounds were 248, while those above forty pounds numbered 144. Of all the benefices three-fourths were rated at less than twenty pounds, and nearly ninety per cent. were under twenty-six.

Was it likely that a man would go to the expenditure of the time

[1] Strype, *Whitgift*, I, 371.

[2] *Ibid.* I. 536.

[3] Compiled by Collier from manuscript materials, these figures seem trustworthy. *Ecclesiastical History*, II, Appendix, 104. See also Strype's *Whitgift*, III, 174.

and work necessary for the acquisition of a university education and the ability to give an account of his faith in Latin, as the Canons required, to say nothing of expending from twenty to fifty pounds a year for his livelihood,[1] in order to be rewarded at the end of it with one benefice worth less than twenty pounds? Eight-ninths of the benefices of the realm were worth less than that sum, and he must be an exceptional man indeed who would receive one of the larger stipends. The wonder is not that so many incapable and poorly equipped men found their way into the Church, but that half the clergy had degrees; that any men, indeed, could be found to accept such posts, when their neighbours were becoming wealthy as merchants, lawyers, or doctors. Certainly except for pluralities, the state of the clergy would have been worse than it was. Pluralities and nonresidence, in 1603, were the result of an honest attempt to better the quality of the clergy, and to improve the administration of the Church. The practice which before the Reformation had been exceptional and, on the whole, an abuse, became, through the complex results of the movement, a regular expedient and a necessity. Without pluralities the Church could not have retained those learned and efficient men upon whom rested the whole weight of the ecclesiastical fabric.

The poorest benefices, served therefore by the most ignorant clergy, were in the North, West, and Midlands, while the richer benefices with the more intelligent incumbents, but with most of the pluralists, were to be found in the East and South. Nonconformity from scruples of conscience existed most often in this part of the realm, and disobedience to the law from other than conscientious reasons was rife in the other districts. Of the former category is the county of Derby, where the total number of the clergy was 249: the stipends under five pounds were 51, those between five and ten pounds were 124; those between ten and fifteen pounds were 50: those over fifteen pounds were 24, of whom only one received as much as thirty-five pounds.[2] Key, the rector of Bramshall, a preacher licensed by the Bishop, held one benefice of the yearly value of four pounds: Blackburn, a Master of Arts and

[1] D'Ewes found £50 very small indeed in 1618. *Autobiography*, p. 119. A year at Cambridge cost one lad in 1606, £71, 9s., 6d. Townshend MSS. *Historical MSS. Commissioners Report*, XI, pt. iv., 13.

[2] *Derbyshire Archæological and Natural History Society*, VI, 157. The lists are printed in full.

a preacher licensed by the Archbishop of Canterbury, had a single cure of the value of three pounds; one Bachelor of Arts, who was also a preacher, licensed by the Archbishop, received for his services four pounds. No doubt, these were all pluralists elsewhere. "For what man of reason," demanded Whitgift, "will think that eight pounds yearly is able to maintain a learned divine? When as every Scull in a kitchen and groom in a stable is better provided for."[1] According to the Sussex Puritans, "the insufficient maintenances are many, and of them 23 not above 16£ by the yeere and some of 4 or 5 poundes."[2]

The statistics of the county of Bedford represent well the condition of the East and South. Out of eighty-six parishes accounted for, one-half were valued at between five and ten pounds, while one-quarter were between ten and fifteen pounds, and only three were worth less than five pounds. Of benefices worth more than fifteen pounds we find, in Lichfield, twenty-four out of a total of two hundred and forty-nine, but in Bedfordshire we find twenty-two out of a total of eighty-six. The most valuable living in the Lichfield list was thirty-five pounds: the best in Bedfordshire was forty-six pounds, with one at thirty-six, two at thirty-three and one at thirty-two pounds.[3] The number of communicants in these 86 Bedfordshire parishes is interesting in view of the size of the income. Twenty-seven had less than one hundred communicants; thirty-three had between one and two hundred, and in twenty-three cases, the number ranged from two to six hundred, which corresponds with the fact that three-quarters of the livings were worth less than fifteen pounds, and one-quarter were worth more than that small sum.[4] The two categories, however, by no means coincided. Shitlington, the largest parish, with six hundred communicants,

[1] Strype, *Whitgift*, I, 534. The Lord Chancellor Ellesmere in 1609, used the same comparison, Cotton MSS. Faustina, D., VI.

[2] Hatfield MSS. 103, f. 64. (1603) This may mean that many exceeded sixteen pounds and that five was very low for that diocese.

[3] Bedfordshire Stipends

	Parishes
£ 1 to £ 5	3
£ 5 " £10	40
£10 " £15	21
£15 " £20	12
£20 " £25	5
£25 " £30	0
£30 upwards	5

[4] Shefford Deanery, 1605.

Number of Communicants	Parishes
- to 50	9
50 " 75	9
75 " 100	9
100 " 125	19
125 " 150	5
150 " 200	9
200 " 300	13
300 " 400	3
400 " 500	5
500 and over	2

was worth eighteen pounds, and was served by a Master of Arts on the patronage of Trinity College, Cambridge, though Edworth, one of the smallest, with forty communicants, was valued at seventeen pounds, and was held by a Doctor of Divinity. The four hundred communicants at Marston listened to a Master of Arts, who was resident and received thirty-three pounds, but the same number at Litlinton were instructed by a Bachelor of Arts, also resident, who was paid eleven pounds, and more than four hundred communicants at Potton were ministered to by a Master of Arts, with thirteen pounds as a salary. Langford, with three hundred communicants was worth only eight pounds to the Bachelor of Arts who had been presented by the King. Stepingley with fifty communicants was appraised at somewhat less than seven pounds, and was held by a man, who was not a graduate but who was resident, while, at Bletshoe, a man who was also not a graduate, preached without license to one hundred eighty people and received in return somewhat less than six pounds.

These statistics for Derbyshire and Bedfordshire are confirmed by evidence of a similar nature[1] concerning England as a whole. Certainly the majority of the benefices worth more than twenty-five pounds a year were to be found south of the parallel of the Wash and east of the meridian of Oxford, and in this district were grouped most of the pluralists. In the extreme North, in Lancashire, Westmoreland, and Northumberland, the average livings were not worth more than five, and few exceeded fifteen pounds. The largest income in Lancashire was the parish of Rochdale, with a little more than twenty-six pounds.[2] "Neither can any of any worth," despondently wrote the harassed Bishop of Carlisle, "be induced to live there, because their maintenance is witholden and their lives must be in continual danger," for, it will be remembered, the North was strongly Catholic.[3]

The bishops and higher clergy were as badly off as their inferiors,

[1] The Diocesan records in the Archidiaconal centers of St. Albans for Hertfordshire and for Buckinghamshire reveal very much this condition of affairs. Richmansworth, Herts, with 800 communicants was served by a resident M. A., a preacher with a stipend of sixteen pounds; Watford, Herts, with 900 communicants, was served by a preacher resident, with a stipend of £16 7s., 1d. See the table at the end of this chapter for the situation in Norfolk.

[2] R. Halley, *Lancashire, its Puritanism and Nonconformity*, I, 162.

[3] Bishop of Carlisle to Cecil, S. P. Dom. Eliz., 273, no. 56. Dec. 26, 1599.

although at first sight the gross incomes [1] look large to us, as they did to the Puritans of that day, and especially to the Queen and her courtiers. But encumbrances and the decay of property had so reduced the nominal incomes, that out of 3093 pounds, the Archbishop calculated, in 1604, that he had only 2366 at his disposal;[2] the Bishop of London found that his 1119 pounds had dwindled to 1000 at the most;[3] and the Bishop of Rochester declared that his 357 had shrunk to 340. But, when they came to reckon up their expenses at the end of the year they were in serious trouble. Bancroft declared, in 1598, that his year's expenses had been 1590 pounds, of which 600 went into the royal exchequer, and that he had thus fallen into debt to the extent of 590 pounds. The Bishop of Winchester in 1595 had been in nearly the same predicament: out of a total income of 2793 pounds, he found that, after his taxes and unusual expenses were paid, he would retain for himself and his household, only 518.[4] The Bishop of Rochester calculated that, out of his 340 pounds, he must spend at least 250, to supply meat and drink for his household, and complained that the remaining 90 pounds would go but a short way towards his taxes, wearing apparel for himself and family, his son's schooling, the repair of his houses, the expense of his stable, to say nothing of the entertainments he was supposed to be ready to offer to recusants, political prisoners, and noblemen, and the gifts and rewards expected of him by the throng of needy clergy and courtiers.[5] The episcopal officers and archdeacons also received very modest fees indeed, for one hundred pounds paid all the salaries of the Bishop of Winchester's officers, and there can hardly have been less than four of them;[6] the Archdeaconry of Barnstable was worth only about twenty pounds a year, and that of Exeter was valued at half of that sum.[7] Of course, these officers eked out their livelihood from the fees and presents paid them by suitors at their courts just as did the judges of the common law courts.

If the stipends paid to the parish priests and to the bishops had been wholly at their disposal, it would scarcely have been sufficient

[1] These are from a list in Stowe MSS., 570, f. 92.

[2] S. P. Dom. Jac. I, IX., no. 59, September, 1604.

[3] S. P. Dom. Eliz. 266, no. 119, April, 1598.

[4] S. P. Dom. Eliz. 252, no. 40. May 31, 1595.

[5] Strype, *Annals*, IV, 316-7. June 22, 1595.

[6] Strype, *Annals*, III, pt. ii, 263, July 3, 1587, £99, 7s., 6 d.

[7] Strype, *Whitgift*, III, 155, 156.

to support a learned clergy and to enable the bishops to perform as they ought the functions of their office. But this gross income had been so pared away by royal taxation, that in some cases, little was left of it. First fruits and tenths were rigorously collected from all the clergy who had incomes of more than five pounds, and were the greater burden, because, although they had been due to the Pope in the old days before the Reformation, the papacy had been so distant that many and many a vicar had not been forced to pay. Now, however, the royal Government was near at hand and the royal exchequer was usually empty. Sometimes, these taxes reduced a man's income to only four or five pounds. "Of a benefice of twenty pounds by the year, the incumbent thinketh himself well acquitted if all ordinary payments (to the Queen) being discharged, he may reserve thirteen pounds, six shillings, eight pence towards his own sustentation or maintenance of his family."[1] Upon the higher clergy, as men better able to bear it without opportunity to object to it or power to escape from it, fell the full burden of royal impositions. Whenever the Crown called for a benevolence, a subsidy, or a present, the bishops and richer deans were expected to contribute sums equivalent to those paid by such wealthy landlords as the Duke of Norfolk, the Earl of Essex, and the Earl of Salisbury.[2] If three hundred more horsemen, a hundred barrels of powder, or stands of arms, were needed for the campaign in Ireland, the Archbishop was sure to receive a letter requesting him to find out how much he and his fellow bishops were willing to give towards the enterprise, as a token of

[1] Harrison, *Elizabethan England*. Reprinted from Holinshed's Chronicle. Camelot Edition, 72.

The vicar of Burwell (Archdeaconry of Sudbury, 1603) reported to the Bishop, "That Burwell is a parsonage impropriate and a vicaredge indeed with Impropriation dooth belonge to the whool Universitie of Cambridge, and it is worth the farmor (the universitie rent being discharged) twoo hundred marks a yeare, and the same Rectory is valued in the Kings book at xxx li odde money per annum, and the vicaredge at xx li. and the vicar receiveth onlye xx li a yeare, and no manner of tithe, oute of which he payeth yearlye xl s. tenthes, iij li xij s. Subsidye, xiij s. iiii d. a pencion to the kinge, besides procuracions and Synodes." (Harleian MSS. 595, f. 103.) The Bishop of Carlisle took from the rector of Crosby 2s., 8d. as synodals, 10s., 8d. as a visitation fee, and 20d. as pension. Synodals varied in amount: 13s. 4d.: 6s. 9d.: 22s. 2d.: 56s., 8d. Pensions also varied: 6s.: 6s., 8d.: 26s., 8d.: 10s.: the normal amount being 6s. On this, *see* miscellaneous papers at the Record Office, Exchequer Documents, Q. R. Eccles., Bundle 9, no. 13.

[2] When Prince Henry was knighted in 1609, only five peers gave one hundred pounds of whom Bancroft was one. S. P. Dom. Jac I, 47, no. 37.

their love and good will to the Queen.[1] In the seven years during which Bancroft was Bishop of London, he paid 1600 pounds as first fruits and tenths: 972 for subsidies: and 900 for his journey to Embden as ambassador: making 3472 pounds in all, or one-half of his entire income during his episcopate. The Bishop of Winchester, in one year, paid 2217 pounds to the State, out of an income of 2773, of which 133 was for a benevolence to the Queen, and 200 for regular pensions to the Earl of Leicester and Sir Francis Walsingham.[2] Eighty-three hundred pounds were levied in 1598 on the archbishops, bishops, and four deans, or more than one-third of their combined yearly income.[3] Where the laity of Essex gave 5290 pounds in 1604, as a loan to the King, the clergy produced 870.[4] "The temporalty," said Whitgift bitterly, "sought to make the clergy beggars, that they might depend on them."[5]

Had the nominal incomes of the clergy been theirs with which to meet this extraordinary taxation, much trouble and misery would have been saved, and Bancroft might still have looked into the future without such forebodings. Such, however, had been the distress of many of the bishops and even of the parish clergy, that the estates of the See and the revenues of the parish were so much impaired by expedients for temporary relief that nearly every bishopric, deanery and parish living of any size was really worth less than its nominal value. In their anxiety to save money,

[1] Some idea of their frequency can be had from the following references to the Privy Council Register (MSS.) XV, f. 2, 24, 40, 44, 64, 65, 74, 75, 104, 110, etc., in a single year.

[2] Strype, *Annals*, III, pt. ii, 263 (1587). Some of the unexpected charges to which the clergy were put may be gathered from the experience of the Bishop of Coventry and Lichfield as told in a letter to Burghley, in 1583. (Exchequer Doc. Q. R. Eccles., Bundle 9, no. 6.) Attending the Court to learn whether or not he would be named Bishop, £44; the drawing of the Congé d'élire, £25; carrying it into the country, £6, 5s.; fees for securing the Royal assent £25; fee to the Archbishop for consecration, £20; to the officials of the court, £80; episcopal robes, £100; light horsemen furnished for Ireland immediately after his consecration and before his rents were due, £60; expenses at Parliament, £100; household furniture, £158; plate, £40; horses, £66; liveries, £13; first fruits, £559; law suits, £740; "Mr. Beacon, for departing from the office of Chancellor and to Mr. Babington for his moiety of same office," £500; in all, (with some minor items) £2641. His predecessor was Bishop eighteen years, and died £1100 in the Queen's debt and £250 debt to the Bishopric.

[3] S. P. Dom. Eliz. 266, no. 82. The total income was £23,370. See Stowe MSS. 570, f. 92.

[4] S. P. Dom. Jac. I. X, no. 45, 46, 48-51.

[5] Strype, *Whitgift*, I., 146. Wilkins, *Concilia*, IV, 283, reads "that we might depend on them."

no repairs or improvements had been made until the bishops' houses and palaces were in deplorable condition,[1] and in many of the parishes, the rectory, with its barns and outbuildings, had collapsed. This forced the new incumbent to rebuild or repair at great expense, or to hire a house elsewhere, which, in fact, placed a yearly tax upon him, for the use of a dwelling had been reckoned as a distinct asset in assigning a value to his living. Wherever lands were attached to the rectory or See,[2] they had often been leased for a long term of years at a very low annual rental in return for a considerable sum paid down in cash, so that the succeeding rector or bishop found many of his rents virtually gone altogether and the rest sunk far below their true value. The clerics of Elizabeth's day had also been busy in cutting down the wood on their estates, cathedral lands, and glebes, without any regard to the effect upon the property. Aylmer made six thousand pounds in this fashion. When one of the vicars in Essex died in 1600, his wife and relatives bethought them that he had the right to cut and haul wood on his glebe during his lifetime. They therefore concealed the fact of his death and left his body unburied for three weeks, during which they felled one hundred and twenty

[1] Bancroft's experiences at London and Canterbury are in point, Strype's volumes are full of details on this topic. See also the case of the Bishop of Hereford. Papers on both sides are in S. P. Dom. Eliz. 286, no. 20, 21; 287, no. 7. (1602)

[2] Exactly what land a bishopric possessed in 1583, we may see from the statement of the Bishop of Coventry and Lichfield to Burghley. (Exchequer Documents, Q. R. Eccles., Bundle 9, no. 6. Original.)

	£	s.	d.
Cheshire:			
Farm of Lordship of Burton in Wirrall . . .	20		
Farm of Lordship of Tervin	31		
Farm of the Lordship of Ferndon	10	8	8
Farm of Lordship of Wilbunbury	15	5	5
Farm of parsonage of Wilbunbury	31		
Merionethshire:			
Farm of parsonage of Towen	40		
Warwickshire:			
Manors of Ichington, Tachebrooke, and Gayton	62	10	
Staffordshire:			
Farm of Lordship of Breewood	57	17	
Farm of park of Breewood	6		
Farm of manor of Eccleshall	36	8	
Parsonage of Wollstanton	19		
Farm of Lordship and mills of Lichfield . .	80		
Leicestershire:			
Parsonage of Bellgrave .	30		
Northamptonshire:			
Parsonage of Long Bugby	20	6	8
Parsonage of Towcester .	31		
Parsonage of Denforde .	18		
Derby:			
Farm of Lordship of Sawly	40		
Pensions and portions, yearly, ...	20	17	3

acres of woodland and pulled up all the fences about the glebe.[1] Until the sorting and indexing of the Consistory Court papers in the Diocesan Archives has been accomplished, nothing definite can be said regarding the extent of this practice in England as a whole, or over any part of the realm. At present individual instances, preserved in letters, account books and the like, make it tolerably certain that leases and the cutting off of timber had impaired the value of all ecclesiastical holdings pretty generally throughout the realm. Naturally in the South and East, where the demand for lumber was greater because of its relative scarcity, and where the numerous rivers made it possible to transport it, the practice had been most extensive. There was little temptation to cut the timber in the North, where it was often a superfluity, or where it could be moved only with much difficulty and expense, and where too the impropriations of income had been carried to such an extent that few vicars had the control of much land, being paid by the lord in money or in a portion of the tithes.[2]

Then, the greediness of the patrons of the living had often compelled the clergy to make over to them, as a condition of their presentation, part of the tithes or part of the glebe, not on lease or for a time only, but for good and all.[3] Where such a simoniacal agreement (totally against the ecclesiastical law) had already taken place, no new incumbent could expect the gift of the living until he had agreed not to disturb the existing arrangement. Harrison tells of a minister in Essex who was forced to pay his patron, out of his benefice worth about twenty pounds, a yearly amount of grain as "hawk's meat," which certainly could not have been estimated at less than ten pounds, and of another who leased to the patron, for about ten pounds, a glebe land worth forty. "Such

[1] Lambeth MSS. Carta Miscellanea, V, f. 24.

[2] See the Account Books of the Earl of Rutland in the *Report on the Rutland Papers in the Historical MSS. Com. Reports.*

[3] "After that I was presented to it (the benefice) the Archbishop of Canterburie that dead is (Parker) sent for me to London, and forced me to seale an obligation of an hundred marks to him, for the paiment of foureteene pounde a yeare to D. Willoughbie, sometime parson of Snoring, or els I had gone to prison. By reason wherof the benefice being ouer charged with pensions, fruites, and other charges: I was faine to turne it into the handes of Raph Shelton, Esquire, suffering him to take the profites, to discharge me of the charges." "The troubles of Mr. Richard Gawton of late preacher of Norwich." Aug. 20, 1576. *Parte of a Register,* 393 at 394.

patrons do scrape the wool from our cloakes."[1] Thus, the State on the one side, their predecessors in the living and their patrons on the other, were all busily at work "plucking and snatching" the bread from the mouths of the clergy. And the consequence was that men who were well fitted for the ministry could not be induced to accept most benefices. The corporation of Shrewsbury tried to hire a preacher, but every one, whom they called, declined on the score of the "stipend being too slender for these hard times."[2] "The very cause why weauers, pedlers and glouers haue ben made ministers," wrote Harrison, "(is) for that the learned refuse such matches: . . . for a glouer or a tayler will be glad of an augmentation of eight or ten pound by the yere and well contented that his patron shall haue all the rest."[3]

The worst is yet to be told. The nominal incomes of the clergy were obviously too small and yet from these the State pared off a great slice in taxes and fees; their predecessors, to relieve themselves, had renounced another portion of the sum, and the patrons were always busily at work diminishing it still further by illegal compacts. But, upon the unfortunate members of the hierarchy had fallen a more crushing blow. Ecclesiastical incomes, as arranged at the time of the Reformation, had been calculated upon the scale of prices which then existed, and, even with taxes, waste, and dilapidations, would perhaps have been still partially sufficient had not that scale of prices radically changed, and had not the purchasing power of money therefore enormously declined. Thus the vicar of the year 1603 was possessed nominally of the income of a vicar of the year 1530, which had been, at least, cut in half by various means. With that half, he was expected to provide for himself and family the necessaries of life, at prices certainly double those which his predecessor had paid. Had money not depreciated in value, had prices not risen, his condition would still have been bad enough, but, as the situation really existed in 1603, it was little short of desperate. Here, in fact, lies the crux of the difficulty in the Church, and it is so important, its roots lie so deep in the past, and it furnished, in 1603, so complex and

[1] Harrison, *Elizabethan England*, Camelot Edition, 80.

[2] *Shrewsbury Corporation Papers*, 61. (1597)

[3] Side note to the Edition of 1577 of *Holinshed*, Book II, Chap. V, see also Hooker, *Ecclesiastical Polity*, Book VII, ch. xxiv. *Works*, 7th Ed., III, 321.

varied a problem, with such widely ramifying consequences in every field of ecclesiastical activity, that, even at the risk of digressing we must investigate the manner in which the clergy received their income and the forces which had been at work to affect its status and value since the Middle Ages. Furthermore, the main question of reform in 1604 was the increase of ecclesiastical incomes. The battle between the common law courts and the ecclesiastical tribunals was fought over the legal status of tithes and there was no one point so fundamental in Bancroft's policy of reform and reconstruction as the amelioration of this desperate condition of the Church consequent upon the bad state of its income. In short, without some understanding of this point, we cannot hope to understand the history of the English Church during those crucial years.

In the Middle Ages, the vicar received his income from his own work upon the glebe or land annexed to his vicarage, and from tithes, oblations, fees, and dues paid him by his parishioners. The tithes were, as the name denotes, one-tenth of all the produce of the land, the flocks, and the individual labour of those to whom he ministered. The oblations and fees he received for marriages, christenings, and burials; the presents were given at Christmas, Easter, and Michaelmas; and some money was paid for the saying of masses for the dead. From the tithe, however, came his chief income, for everything was titheable from the fields of waving grain to the new-born lambs and calves; from the wool sheared and the honey and fruit gathered to the wood cut for the winter's fires. The vicar demanded his share of the meadow grass, of the broom and fennel, and even of the hay that grew on the little patches (the headlands) at either end of the fields where the horses turned while ploughing. Produce itself was given him, or as the phrase went, he was paid in kind. So indeed, was every payment made over the greater part of England in medieval times; the King received his rents in kind, and went on progress in order to eat them up; each landlord received his rents in produce; the rustic paid for his clothes and shoes with grain, for, in truth, there was not enough money in circulation to have sufficed for all the transactions entered into, so that, if each had received money, he would have had hard work to spend it in the general absence of markets.

All industry and exchange was local and supply was provided only for a local demand.[1]

Gradually, a change began to make itself felt in the broadening of the field of commerce and trade, in the beginning of markets where trading was done, in the introduction of a money economy, and in the beginning of production to meet a distant demand. As every one else began to be paid in money, and as most of the lord's rents were commuted into money payments, it became more satisfactory, to vicar and parishioner alike, to pay tithes in money. Yet, inasmuch as the same acreage was not always sowed each year, and as the increase of flocks and the like was variable, neither party was willing to agree upon a fixed sum which should discharge annually all obligations, but set upon each thing some price—so many pence for each acre of wheat or barley; so many for each lamb; so many for the honey or wood or wool—and to this scale of prices the consent of the whole village was usually obtained . Thus was the normal *modus decimandi* or method of tithing adopted in that village, and, progressing as the economic development of the country advanced, probably by 1530 and certainly by 1600, such an agreement had been made in nearly every parish, although a large majority did not refer to payment in money. In the towns a similar composition had been made on the basis of the property held, the number of workmen employed by the tradesman, and his yearly output.[2] Naturally there were scarcely two villages where the same "custom" (as the *modus decimandi* was often called) prevailed, where the same scale was adopted, where some exceptions had not been made of tithes to be paid solely in kind, or where some men did not prefer to pay wholly in kind. In fact, a *modus decimandi* did not necessarily mean that the vicar received money in lieu of tithes in kind, for he might have exchanged certain tithes for others, or it might relate to the manner and method of payment.

[1] A vast amount of information was garnered by John Selden, in his famous *History of Tithes*. The book is much injured by his tendency to speculate about things upon which he had no data, and his failure always to state when he is guessing and when he is not. Too much value has often been assigned to it. The statement in Burn's *Ecclesiastical Law*, II, tit. "Tithes," is much nearer the truth and contains a valuable summary of the canon law on the subject, carrying the story down to the end of the 17th century. F. Seebohm's *Village Community* contains valuable data from old accounts and Manor Rolls.

[2] In many town, two shillings per annum for every twenty shillings rent. Dr. Grant's Case, Mich. II, Jac. I, XI, *Reports*, 16 b. London was regulated by the statute of 37 Henry VIII c. 12.

There is no single definition which can be given for a custom or *modus decimandi* in the year 1603 further than a statement that it related to some agreement between the vicar and his parishioners which was substituted for the normal payment of one-tenth of the produce.[1]

Toward the middle of the fifteenth century, when the commutation of tithes had become reasonably general, a new element entered the situation which tended to urge the vicars to cling to their tithes in kind, and to impel the parishioners to establish, if possible, some custom of tithing which should, at any rate, be something other than the payment of an actual tenth in kind. Tithes had been divided usually into the great tithes, or the tenths of the most important grain crops, and the small tithes (*minutæ decimæ*) or tenths of the increase of flocks, herds, and of small fruits and garden produce. The names, *great* and *small,* had been literally correct, for the grain crop formed the staple of the agricultural product at a time when nearly the whole of England was devoted to agriculture. The great tithes were vastly more valuable than the lesser, since every one raised some grain, while not every one had much property from which small tithes were due. Then came the great change in agricultural methods, which began about 1450, and continued more or less spasmodically until 1700, leading to the transformation of the open field farming into the cultivation of enclosed fields and even more in the turning of arable land into pasture for sheep. As the grain crop decreased by making the arable land pasture, the great tithes decreased in proportion and the clergyman's income, whether paid in money or produce, decreased likewise. The small tithes, on the other hand, now became very valuable as the sheep became more numerous and as the annual yield of wool advanced to what then seemed a fabulous total.[2] Of course, where the tithes were still paid in kind, the vicar received with one hand what he lost from the other; but where commutations had been made he usually was the poorer, for the value of the great tithes had been calculated to a nicety, while upon the small tithes,

[1] These definitions and much of the following account were derived from a study of the Law Reports of Croke, Moore, Bendloe, Coke, etc.

[2] According to Sir Edward Coke, a great landowner in Norfolk along the sea coast, many of the ministers received the bulk of their income from the tithes of fish, which were small tithes. *Commons Journals*, I, 630, May, 1620.

being of no considerable amount, little stress had been laid and the agreement had either omitted them altogether or had been carelessly phrased upon that point. In every case the rate at which the tithes of lamb and of wool had been reckoned was nominal and could not pretend to be the actual value. A good deal of land had been enclosed which had been common land, over which the vicar had enjoyed equal rights with his parishioners, and these they lost together. But the common land enclosed and the waste land reclaimed and the fens drained—and of all these there was a great amount in 1600—paid no tithes because, by custom of the past, those spots had been exempt. The incomes of the clergy had, therefore, suffered before the Reformation came to help the downward trend.[1]

In the train of the breach with Rome came the dissolution of the monasteries and the handing over to the laity of the greater part of the rich lands whose proceeds the monks had so long enjoyed. The Bishops estimated, in 1603, that there were in the Province of Canterbury, 3307, and in the Province of York, 542 benefices impropriate, or in less technical phrase, whose incomes were paid to some layman instead of to the clergyman of the parish who should naturally have received it.[2] Of churches appropriate, or in other words, whose income was paid to some clergyman other than the proper clerical recipient, there were 3828.[3] Thus, out of about nine thousand benefices, the funds of 7677 had been diverted from the original claimant to some one else, and the man who actually performed the service received not the tithes but an allowance made him by the legal owner which was, of course, only a portion of the sum really paid by the people. Hooker stated[4] that these impropriations to laymen cost the Church yearly 126,000 pounds, though Whitgift had estimated the sum at 100,000,[5] a sum which was no small part of the revenue of the Establishment, when, as will be remembered, the total income of the whole episcopate was only 23,000 pounds a year.[6] Of this large sum, not one penny

[1] "One of the best ways to further the minister to become learned is to revise the statutes for tillage." Bishop of Durham to Burghley, Hatfield MSS. 56, f. 63, Oct. 29, 1597.

[2] The details have been printed in the table at the end of this chapter. Collier (*Ecclesiastical History*, II, Appendix, 104), estimated the number at 3277 in all England.

[3] Tanner MSS., 178, f. 9 b.

[4] *Ecclesiastical Polity*, *Works*, 7th. Ed. III, 323.

[5] Strype, *Whitgift*, I, p. 535.

[6] Stowe MSS. 570, f. 92.

"This is a certain and sure principle, that the temporalities will not lose one jot of their commodity in any

found its way to the clergy; it was the amount over and above the allowances made to those who served the cure. The benefices appropriate, of course, supported some bishop, dean, or rector and were reckoned as a part of his regular income.

Extensive as this practice had been and considerably as it had been increased at the dissolution of the monasteries, many incomes remained, after the Reformation, what they had been before. Where the benefice had been formerly appropriated by some monastery, the new impropriator or appropriator, as the case might be, took money which the clergyman had never received, and the latter was none the poorer because of the change. In many cases, however, where the laymen impropriated tithes which had never been before so treated, the benefice was actually impoverished. The great evil which impropriations worked in the Church was due not so much to the depreciation of incomes as to the influence exercised by the laity, through their rights of presentation, on the personnel of the clergy. It was in the abolition of all mortuaries, oblations, fees, dues, and other small payments, with which the parish priest had often managed to eke out his scanty livelihood, that the Reformation dealt a great and crushing blow to ecclesiastical incomes. Where a man's total receipts were no more than five or ten pounds yearly, the small individual presents of a few eggs, a hen, or a peck of meal given him by each of two or three hundred people at some great festival, were not to be lightly despised. All these the Reformation swept away and left the vicar with his tithes and with his glebe land, too often impaired and reduced by the impropriator.

Indirectly, the new teaching of the Reformers that a man could acquire salvation only by inward grace and repentance—means which were not in the least aided by payments to the clergy—

respect, to better the livings of the Church, and therefore let us keep that we have, for better we shall not be: we may be worse and that I think by many is intended." "That living which is worth to the farmer two hundred marks, is not worth to the incumbent twenty pound, as I myself am able to prove in divers and sundry such kinds of livings. Saying also that men have not now a days that conscience in paying their duties that they have had in times past, besides many other commodities that were wont to be incident to livings which are now utterly taken away; except it might be lawful for men to join more livings together you should have a beggarly clergy, which will be the decay of learning, religion, and in time of the Church also; for there would not be many meet livings for learned men besides a few bishopricks." Whitgift to Bishop of Ely, 1575, December 3. Wilkins' *Concilia*, IV, 283.

served to undermine the obligation of the people to pay the old tithes and to send them looking for legal loopholes by which they could evade the demands of the parson. It taught them to regard the tithe as a useless imposition which they were forced to meet because it was customary and not because of its utility to them. Then, of course, Catholics and Puritans had no great desire to support the parson of the Established Church by a prompt discharge of their debts to him and very likely thought it a godly and proper performance to deprive him of as much of his maintenance as they could without breaking the law or burdening their consciences. The moral influence of the Reformation thus militated against the payment of tithes.

The diminution of ecclesiastical incomes, which the agrarian changes and enclosures had partially wrought between 1450 and 1530 and which the impropriation of tithes and the abolition of oblations and fees from 1535 to 1540 had accelerated, was completed between 1540 and 1600 by the rise in the value of money. The real cause, then, of the difficulties within the Church—for most of the administrative troubles flowed from the widely ramifying consequences of inadequate incomes—was not ecclesiastical but economic and lay not so much in the Reformation as in the agrarian changes and in the influx of silver from America. With or without the alterations in dogma and the renunciation of the papal headship, which undoubtedly complicated a situation already fraught with peril, the Church, as an institution, would have found itself in 1600 before the gravest problem which Bancroft had to meet. Here again the indirect result of the Reformation was more powerful than the direct, for the mere fact that many of the revenues of the Church had been handed over to laymen, united the laity, within Parliament as well as without, against any scheme whatever that proposed to increase the income of the Church. They felt themselves menaced by it even when they were not immediately concerned in its provisions. The distribution of the monastic property by Henry VIII gave the laity a permanent interest in the maintenance of Protestantism as the form of the Established Church but it made them equally hostile to the reform of the ecclesiastical administration.

From the moment when the volume of silver poured forth from the mines of Peru became considerable, the rise in prices was steady

and to contemporaries remained a complete enigma for a quarter of a century. By the year 1600 the world's stock of the precious metals had increased threefold,[1] and prices of all commodities had soared upward to double or perhaps three times their former amount.[2] The parsons whose tithes were still paid in kind, and there were still many such, though chiefly men who received a very small stipend, were exactly where their predecessors had been, and the sight of their less fortunate brethren urged them to cling fast to every vestige of right they possessed of maintaining the *status quo*. The farmer, on the other hand, had every incentive to establish, truly or falsely, some custom of tithing which should release him from what he regarded as an onerous burden, for, by inquiry and by rumor, he learned that in other parishes, where a commutation of tithes had been agreed upon, his ilk paid only a third or a fourth as much as he. In these parishes the vicar was, of course, as eager to break the *modus decimandi* as his parishioners were to maintain it. Equity seemed to rest with the clergyman, for the yield from an acre of wheat which had been commuted at three or four pence, would now be titheable, according to the new scale of prices, at from six to eight (assuming the value of money to remain the same). The penny, which he received for a lamb or a calf, represented only a fraction of the true tenth of the animal's value. Yet, with the nominal income of his predecessor, he must supply his own needs at prices double those which his predecessor had paid.[3]

Here was a situation where the interests on either side were so great that strife and disagreements were inevitable. In 1549 the Privy Council imprisoned three men of the county of Buckingham-

[1] Lexis in *Der Handwörterbuch der Staatswissenschaften* (Ed. 1899) IV, 751, 762; VI, 732.

[2] Professor E. F. Gay in the *Royal Historical Society's Transactions, New Series*, XIV, 258-262, has demonstrated that Rogers' calculations in his *History of Agriculture and Prices* must be seriously discounted, and with Rogers' statements fall a host of others based upon his work. Professor Gay shows that the contemporary idea that the rise of prices by 1600 had been three or four fold is very likely an exaggeration. While we lack trustworthy detailed statistics, we may say pretty definitely that the rise in cereals was more considerable than in meats, milk, eggs, and far greater than that in textiles and all manufactured goods. Two to two and one half seems to be a better estimate of the rise in prices.

[3] "Wherefore those customes of paying halfpenny for a lambe or a pennie for a calfe . . . is but very unreasonable in these daies, when both lamb and calues are growen foure times deerer and more then they were when this price was first accepted." Cowell, *Interpreter*, tit. "tithes." (1607)

shire for "assembling of cumpanyes to withstande the payment of their tythes."[1] In 1578 information was brought to the Council "of great disorders used by parties interested in the collection of the tithes to the spoile of the corne and the great hindrance of the tillers."[2] All manner of subterfuges were resorted to in order to defraud the vicar of his tenth.[3] They set out his share when they knew he was miles away, and, as it was not at once removed, they asseverated that he had renounced it. They left his portion in the barnyard and carefully locked the gate, but protested, when called to account, that they had duly separated the tithe and that the vicar was at fault for not taking it away. Two men boasted that they had a new trick "to avoid paying any more tithes which should be a precedent for all England to observe." They sold their grain to a wandering beggar and, when it had been reaped and safely stowed in their barns, received a reconveyance of it, but to the parson they declared that the grain was sold to a man whose name they had forgotten and who had since sailed for Virginia.[4] Among the cases tried in the Consistory Court at Ely, in 1565, was one of tithes, where the plaintiff averred:— "yt in harvest last the heaps of barlye made uppon the roode in Stonehyll feyld were made by William Thorbyes ffolkes verye unequall, for, of the xij heaps uppon the sayd roode in Stonehyll ffyelld aforesayd, there was at eche end a lytle stocke of barlye lesse a goode deale then the others uppon the same roode, of which sayd lytle ones one was lefte for tythe."

Everything seemed to have conspired against the parish clergy. The agrarian changes in the fifteenth century had in many instances curtailed his tithes: the abolition of oblations, mortuaries, fees, and presents at the Reformation had robbed him of another share of his income; impropriations and appropriations of two-thirds of the benefices of England had, of course, not failed to make an impression upon his slender stipend, which had been deepened and made permanent by the attitude of the patrons toward the clergy they were about to present and by that of the parishioners in the payment of their tithes. Then had come together the crush-

[1] *Privy Council Register, New Series*, II, 359.

[2] *Ibid.* X, 290, July 20, 1578.

[3] *Ibid.* XXV, 113, December 20, 1595. A layman witholds tithes from a clergyman and vexes him with innumerable suits at law.

[4] Cotton MSS. Cleopatra, F. II, f. 240 b.

ing and constantly increasing weight of the state taxes, the fall in the value of silver, and the consequent rise in prices, until the income which had before seemed so small that any further reduction would annihilate altogether the ability of the clergy to meet their obligations, shrank and dwindled into a pittance less than the retainers and grooms of many of the gentry and nobles received for turning spits in the kitchen and currying horses in the stables. Still, the worst blows had come unexpectedly and without malice prepense of either the Crown or the gentry. The agrarian changes and the depreciation of silver were the manifestations of an economic ferment which affected all Europe. For these overwhelming calamities no one was to blame. Similarly the logical development of the principles of the Reformation had produced a renunciation of belief in several of the old sacraments whence could result only the abolition of all those minor fees and presents which had grown up about the various rejected parts of the old service. This again was inevitable and for it no one was to blame.

The worst sin of all was of the same sort, and its results were equally unforeseen. Henry VIII and Cromwell had strenuously declared that the secession from Rome should carry in its train no alteration of the fabric of the Church: everything should go on as it had except that there was to be no longer a papal supremacy over England. The King had ideas, indeed, of revising the Canon and Ecclesiastical laws, of founding a college of Civil Law at Cambridge, of introducing the practice of the Roman Law extensively, none of which were put into effect. The archiepiscopal courts of Canterbury were erected into the supreme tribunals for ecclesiastical affairs in England with appeal to the Court of Delegates as the representative of the Crown. But, in the lower ranks of the hierarchy, in the dioceses, there was to be no change in doctrine, in service, or in any other way as the Act of the Six Articles abundantly testified. Hence the incomes assigned to the new clergy out of the monastery lands and the parish lands, now impropriated for the first time, had been calculated upon the old scale and this was the sum registered in the King's Book as the value of the living. Cranmer estimated in 1539 that ten pounds would be sufficient to maintain a divine of some learning and that five pounds would go a long way toward supporting a scholar at one of the universities.[1]

[1] Cranmer, *Remains and Letters*, II, 396-397. (Parker Society.)

At or about ten pounds, then, were set the majority of parish incomes, a sum which was then considered a sufficient annuity for a gentleman's son. Cranmer and his contemporaries, furthermore, were thinking of the priest who was to be supported by this sum, as a man unmarried, merely able to read decently the service and to make the entries of births, deaths, and marriages. No one then dreamt of requiring the majority of the clergy to preach or to possess a degree, or to know more than enough Latin to struggle through the formulas of the mass. The idea of the requirement for the ministry underwent an astonishing change, and a man, well qualified for office of priest in 1530, would have been classed as ignorant and insufficient even in 1570 and would have appeared in 1604 as "scandalously deficient." Yet the new incumbent, who was required to be able to give an account of his faith in Latin, hold a degree, preach, and catechise, was to receive no more than the stipend intended for his ignorant predecessor and, in fact, through the working of adverse circumstances, he did not actually retain a clear sum, which he could devote exclusively to his own needs, equivalent to more than a fifth or sixth part of what had been paid to the old priest in 1530. It had also been expected in the Middle Ages that the priest would work upon his glebe and thence produce the greater part of his income, but the new university graduate was not likely to be the sort of man who would be willing to toil at the plough like a common laborer. Yet, in settling the amount of the old stipends, the size of the glebe and what could be produced from it had been reckoned as a distinct and considerable asset in the clergyman's favour and this had now disappeared. In short, the Edwardian and Elizabethan settlements proceeded to ingraft upon the Henrician incomes a requirement which had never been contemplated, and demanded of the old organisation a work which it was not at all able to perform.

Then, under the old papal dispensation and even during the lifetime of Henry VIII, no priest was expected to marry and, in allotting his income, no attempt had been made to furnish a surplus sufficient to maintain a wife and children, much less to leave them anything on his death. At first Elizabeth so strongly discountenanced the idea of a married clergy, and so many of the old priests and monks, who felt bound by their vows, were still alive, that this fact was not a point of great importance. But, as the lapse of

time made the idea more familiar and therefore less repugnant, and as the old clergy were replaced by a newer generation, marriage became more and more common, until in 1604 a goodly portion of the clergy of all grades were married. They then found that the old stipend was far from large enough to support a family. Without pluralities, however, conditions would have been worse. What had been an abuse, became an absolute necessity: the practice which had militated seriously against the welfare of the old church became the salvation of the new. Just as the efficiency of the administration of the Church rested upon the High Commission, so the learning and ability of the clergy depended upon pluralities.

The state of the Church was undoubtedly bad. The clergy were ignorant, pluralists, to some extent nonresident, nonconformable in a multitude of things that were, in many cases, the very essentials of the service. Every prospect of amelioration of those untoward conditions depended upon the increase of the incomes of the individual parishes to a sum which would recompense a learned man for the toil and time spent in qualifying himself for the office. "The soules of the Parishioners suffered great famine for want of a fit Pastor," wrote Selden, "that is, for want of fit maintenance for him, for without that he is scarce to be hoped for."[1] As usual in the evolution of so complex a situation, a multitude of causes had been at work. The underlying elements had been acting and reacting upon each other, and had been, in some instances, accelerated, in others retarded, and still again, softened or acerbated by the play of local, national, and international politics, by family influence, private greed and individual ambition. Yet, after all, the root of the difficulty lay in the character of the English Reformation itself. It had been an attempt to introduce changes in doctrine and ritual without altering the constitutional or institutional structure. Nay, it had been anticipated that the Church would be stronger and more powerful through its connection with the Crown than it had been in its subjection to the Papacy. Far from having made any change, few men had thought that any would be necessary. Yet the Church clung to the State for protection and support, not only because the State had insisted upon controlling both its policy and the personnel of its officers, but because

[1] Selden, *History of Tithes*, 486. (Ed. of 1618.)

it was too weak to stand alone. The Reformation had unexpectedly sapped its life blood: and the severe blow had not been its severance from Rome but the imposition upon it of new and unforeseen problems which its organisation was totally unfit to handle. They had expected an institution, built upon the idea that every clergyman should be intelligent enough and willing enough to perform his duties without compulsion, to coerce into obedience a clergy which was not only ignorant but which steadfastly refused, from motives of "conscience," to perform the duties to which they were bound by law. Then it became impossible to rectify the difficulty by removing the ignorant and nonconformable, partly because it was thought for many years that enough others of a better sort would not be forthcoming to fill the vacancies, and partly because of the Queen's unwillingness to consider ecclesiastic capability superior to political loyalty as a test of fitness for clerical office. But, in demanding that the bishops should enforce the laws of the Church by means of the disobedient and nonconformable upon other clergy and laity disobedient for similar reasons, Elizabeth demanded from the Constitution of the Church a coercive force which had never been contemplated under the old organisation.

The Queen and the nobles had pillaged the revenues of the Establishment without stint and still expected them to maintain a far superior grade of clergy, which must necessarily increase rather than diminish in numbers, in order to keep pace with the growth of population. Political expediency kept the Church without a clear and definite constitution, without power to enforce one if it had possessed any, and without the opportunity or ability to amend the one that existed. What was the law of the Church in 1603 it was exceedingly difficult to say: how much of it had been enforced was only a shade easier to define than the amount which could be enforced. It was again the scene of King David and Nathan, the prophet. David threatened the guilty man with every penalty—and found that the guilt lay upon his own shoulders. All unwittingly the Queen and her courtiers had been busily wrecking the Church and, so far as any human agency was to blame for the condition of affairs, they were responsible.

Archbishop's Report to the King, 1603

(Harleian MSS. 280, f. 157.)

Dioceses	Parishes	Impropriations	Preachers	D.D.	B.D.	Degree of Law	M.A.	B.A.	No Degree
Chichester	250	120	211	11	15	—	87	39	38
Bristol	236	64	126	1	8	—	40	27	50
Salisbury.....	248	109	200	—	De-	tails	not	given	—
Ely.....	141	75	112	10	31	—	57	10	4
Peterborough ..	293	91	144	5	23	1	74	31	9
Exeter	604	239	223	3	14	5	112	60	29
Gloucester	267	125	127	1	3	—	38	31	54
Hereford	313	166	81	9	7	—	41	24	not given
Coventry and Lichfield ...	561	259	86	1	6	—	40	16	23
Bangor	61	38	47	3	4	1	19	4	6
St. Asaph	121	19	41	4	—	—	30	2	5
Llandaff	177	98	50	1	1	—	29	7	12
St. David's ...	305	100	84	1	7	—	40	21	15
Canterbury ...	252	140	201	6	16	—	93	35	52
Peculiars of Canterbury .	54	14	58	—	De-	tails	not	given	—
Rochester	98	42	76	2	3	—	40	18	13
London	613	189	503	40	56	—	233	174	none
Norwich	1121	386	259	12	52	5	150	40	none
Oxford	194	88	85	11	14	—	45	2	13
Bath and Wells	412	160	163	8	12	—	75	18	50
Winchester....	362	132	220	12	21	2	107	44	34
Worcester.....	241	76	120	5	3	—	44	26	42
Lincoln	1255	577	920	33	70	—	354	236	226
Totals, *Prov. of Canterbury*	8179	3307	4137	179	366	12	1828	965	675
York	581	336	433	5	22	2	141	86	177
Durham	135	87	63	4	4	2	31	8	14
Chester	256	101	161	3	12	—	75	29	32
Carlisle	93	18	36	1	3	—	20	6	6
Totals, *Prov. of York*	1065	542	693	13	41	4	267	129	229
Totals, ALL ENGLAND	9244	3849	4830	192	407	16	2095	1094	904

Condition of the Clergy, 1592

Dioceses	D.D.	Other high Degrees	B.D.	M.A.	B.A.	Poorly Learned	Preachers	No Preachers
Coventry and Lichfield (1)	6	7	10	40	21	501	51	544
Coventry and Lichfield (2)	4	1	2	65	38	323	82	351
Rochester (3)	3	—	4	36	13	—	16	—
Gloucester (4)	3	1	4	39	23	191	84	169
Chester (5)	1	1	16	62	33	273	172	213
Ely (6)	—	—	38	36	4	39	79	38
York (7)	1	4	10	110	56	398	207	372

(1) Lambeth MSS. Carta Miscell. XIII, f. 1. (1590).
(2) Journal of Derbyshire Arch. and Nat. Hist. Soc. VI, 157, (1602).
(3) Lambeth MSS. Carta Miscellanea, XIII, f. 53. (1592).
(4) " " " " XII, f. 8. (1592).
(5) " " " " XIII, f. 47, (1592).
(6) Visitation Records, Ely, 1600.
(7) Lambeth MSS. Carta Miscellanea, XII, f. 9. (1592).

Number of Communicants in Parishes

	Less than 25	25 to 50	50 to 100	100 to 150	150 to 200	200 to 300	300 to 400	400 to 800	800 to 1000	Above 1000
Archdeaconry Sudbury, 1603	9	18	59	56	26	22	8	16	5	—
Archdeaconry Suffolk, 1603	6	33	102	66	17	16	12	8	—	—
Archdeaconry Norwich, 1603	13	20	96	76	15	27	8	6	—	—
Diocese of Winchester 1603	7	41	98	86	51	64	35	28	5	11
Shefford Deanery (Bedfordshire), 1605	—	9	18	24	9	13	3	7	—	—
	35	121	373	308	118	142	66	65	10	11

Compiled by the Author from the original returns (except for Shefford Deanery) in Harleian MSS. 595.

Pluralists

	NUMBER		DEGREES					DISTANCE APART						COMBINED VALUE OF THE BENEFICES						
	With two benefices	With three or more	B. A.	M. A.	Higher Degree	No Degree	Studied at Univ.	Less than one mile	1 to 2	2 to 5	5 to 10	10 to 30	Over 30	Below £10	£10 to £15	£15 to £20	£20 to £30	£30 to £40	£40 to £50	Over £50
Archdeaconry Norwich . .	78	1	17	17	9	18	6	48	8	7	3	5	0	28	24	7	8	3	1	2
Archdeaconry Suffolk . . .	29	0	5	16	2	4	0	19	3	2	2	3	0	2	7	7	4	5	0	2
Archdeaconry Sudbury . .	23	0	1	7	12	1	0	9	0	4	5	4	0	1	1	2	6	4	0	2
Diocese of Winchester (Return incomplete) .	45	0	3	24	16	6	0	5	3	10	7	13	5	1	7	4	6	12	5	6
	175	1	26	64	39	29	6	81	14	23	17	25	5	32	39	20	24	24	6	12

Compiled by the Author from the original returns in Harleian MSS. 595.

CHAPTER XI

ATTITUDE OF THE PEOPLE TOWARD THE CHURCH

It has been often remarked that there is no more fruitful source of disputes and differences of opinion between historians than the tendency of each man to assume that some common term, which is frequently employed by all writers, conveys to others that precise shade of meaning which it does to him. In the whole terminology of history there are few words more difficult to define than Puritan, for it was never used by contemporaries with precisely the same significance and it has denoted very different qualities at different epochs. It is a word which has borne so many dogmatic, doctrinal, political, administrative, social, and moral meanings in the course of the past three centuries and a half, that it is perhaps impossible to present one definition acceptable to all. Yet, before we can discover what was the attitude of the English nation toward the Established Church in 1603, we must define Puritan, decide how many there were, and study somewhat the factors which had caused the growth of that sect in the past, and which were then influencing its progress. For every man, who was neither a Catholic nor a Puritan, may be reckoned a Churchman.

Most of the definitions proposed for the word Puritan are too inclusive. To the term still clung, in 1603, the vestige of the original idea of ridicule which gave it birth; it was still a stigma relished by none to whom it was applied, and was therefore frequently employed, when a particularly delicate and cutting term of opprobrium was desired.[1] The study of contemporary usage results,

[1] Those who have always been called Puritans by historians as an honourable distinction, loathed the name: "The adversary very cunningly hath christened us with an odious name, neither rightly applied, *nor surely rightly understood*. . . . It is the name of Puritanism. We detest both the name and the heresy: it is a term compounded of all the heresies aforesaid." Strype, *Annals*, III, pt. i, 264, 269. "By the reproachful name of Puritans, all godly protestants are most cunningly depraved." Josias Nichols, *The Plea of the Innocent*, 1602. Chapter I of the tract shows that "they be not Puritans indeed who now in England be so called."

then, in the collection of a surprising array of qualities, all designated as Puritan.[1] Again, our imagination, taught by Macaulay's facile pen, portrays the typical Puritan as a man with a dismal, long-drawn face, clad in ill-fitting drab clothes, whose nasal tones stridently proclaimed phrases from the Bible, and whose ideas censured severely all thoughts of worldly pleasure and of the esthetic element in life.[2] Yet so famous a Puritan as Oliver Cromwell was fond of good clothes, fast horses, and a game of bowls;[3] John Winthrop, the first governor of Massachusetts, approved of hunting and hawking and only mildly disapproved of card playing;[4] while the Puritan Earl of Derby was fond of beguiling the Sabbath with a sermon in the morning, a play in the afternoon, and dancing in the evening.[5] Furthermore, the evidence of the Visitation Articles makes it impossible to use as a test of Puritanism the failure to wear the surplice or read from the prayer book, for the wildest enthusiasm of partisan spirit could not recognise in most of the men, who thus disobeyed the law, any right to that title.[6] Nor can we employ a belief in Calvinistic ideas as our test, for many English bishops sympathised with Calvin and accepted many of his ideas. They were seriously influenced by the Genevan divine, yet no one would call them Puritans.

An idea has of late found favour in many quarters which treats Puritanism as synonymous with the spirit of the Renaissance and Reformation, with the impulse to make the Church and the world better and purer, and which claims as its adherents all men of learn-

[1] An interesting but not very enlightening dispute over the meaning of the word will be found in Nichols, *Plea of the Innocent*, p. 11, et seq. (1602) and in Covel's reply, *A Modest and Reasonable Examination*, 40, passim, (1604), and in the *Dialogue between an old Protestant and a new Formalist*. These make clear the very confused usage given the word at that date.

[2] "The imputation of the name of Puritan is now growne so odious and reproachfull that many men for feare thereof are rather willing to be thought to favour some vice or superstition than to undergoe the scandall of that name, and seeing many (who both do approve and are verie desirous to obey his Majesties lawes and government, as well ecclesiasticall as temporall) yet only for absteyning from or not approving grosse vices or profanneness or for due frequenting publique exercises of religion or practicing the private duties thereof in their owne familyes, are branded with that opprobrious name." *Report on the Rutland Papers*, IV, 213. (1905). (Undated but of about this time, certainly not as late as 1620.)

[3] C. Firth's *Cromwell*, 456-8.

[4] Winthrop's *Experiencia*, printed in *Life and Letters*, I, 70.

[5] R. Halley, *Lancashire, its Puritanism and Nonconformity*, I, 128: see I, 197 to 212, for other examples.

[6] Many were "Ignorant," "no preachers," "drunkards," "nonresident."

ing and piety, all men of high ideals and pure life and speech. Indeed, there can be no question but that this is the broadest and noblest definition of that much-abused term, and the one most consonant with its connotations to the modern mind.

Puritanism, in fact, is the spirit of unrest, the spirit of ceaseless change in man's endeavour which was the key note of the Renaissance, which has always been the note of progress. It means the higher life in the world, uplifting it, in contradistinction to the medieval ideal of the ascetic who must live apart in order to avoid the world's contagion that he might eventually exemplify the perfect human life—the flower in the desert. This Puritanism is not a thing of creeds and dogmas, neither an attitude of mind nor an intellectual abstraction of any sort, but the spirit of progress in every line of human endeavour, political, social, administrative. In a religious sense, it stands for that ethical, spiritual force which makes for righteousness and continual purification of the Church from those "lets and hindrances" inevitable in the administration of any great institution. It represents the faith of man in himself as a human being, in his capacity to solve the problem before him, in his capacity to compass his own salvation. It rests upon a belief in man's ultimate perfectibility and in the power of the few who are good and noble to elevate the great mass who are ignorant and base. Its mission is to free the world from the fetters of traditionalism and institutionalism.

Yet such an idea as this cannot be used as a definition of historical parties in the year 1603. It ignores the party lines which undoubtedly existed. Instead of finding out the personnel of the party and then inquiring into their ideas, it assumes a definition and fits the men to it. It also proves too much. When we assume that Puritanism is equivalent to the spirit of progress and was represented (as it necessarily must be) by all great and good men, we have necessarily included in its ranks the majority of the learned and pious of England, not because any such party of men existed, but by the force of our definition. Then we assume that this great party was identical with the Puritans who signed the Millenary Petition, and the latter are at once *necessarily* invested with all learning and virtue, and the Established Church as quickly and inevitably connotes all that is tyrannical, base, and opposed to the future development of the race. Moreover, the spirit of progress,

which Protestants have grown into the habit of denominating Puritanism, was in 1603 not even a considerable force.

Cartwright and his friends were not animated by even an adumbration of any such idea as we have just outlined. They looked not to the continual adjusting of man and his institutions to the life about him as the world progressed, but to one definite creed and government set down in the past for all time in one infallible Book. To that form, they conceived that God had bound all men and from it there was to be no variation, no advance, no alteration, for none would be necessary: the prescient wisdom of God had made it perfect and what was man that he should change it? Man was not to trust in himself but to resign himself to God's care and mercy; man could not by his utmost efforts achieve his own salvation; the touch of the world, its so-called pleasures, this much talked of joy in life and in nature, were the wiles of Satan to distract the individual's attention from that intimate and pure communion with his Maker, wherein alone lay his salvation. Such an ideal was not progress, but the stagnation of movement, the fettering of life to one pre-conceived idea of what it should be. It might be radical for the times, but it could never be progressive. It was, in reality, a return to medieval asceticism, to the ideal of a life of holiness uncontaminated by the world and its evils. Based on that same Augustinian theology which had given Anselm and Aquinas their inspiration, it looked on man not as powerful and wonderful, holding his salvation in his own hands, but as a "worm," a "reed shaken by the wind," dependent on the favour of his Creator.

In reality, Bancroft, Hooker, and the English Church represented the modern idea of Puritanism more truly than did Cartwright and his followers. The English Church was in theory based upon the idea that ecclesiastical government was a matter which must of necessity differ, from age to age, from country to country, with the changes of times and of circumstances. It declared that man should obey not the Bible alone, but the law of God as written in the Law of Nature, where the lesson was to be read in every age by the mind of the great man who should seek to solve this riddle. Man, declared Hooker, held his salvation in his own hands: man possessed the God-given capacity to meet successfully all the great problems which encompassed him. The Church must be remodelled, said Bancroft, not so as to conform to some preconceived ideas of the government

ordained in Scripture, but so as to be consonant with the needs and aspirations of the English people as mirrored in their own past history. Reform was not a process, he insisted, which could be accomplished once for all, as Cartwright and Travers asserted, but was rather the constant readjustment of the institution to the exigencies of the time. The Reformation could not be made once for all: it must be constantly progressing.

Here was the real issue between Churchmen and Puritans in 1603, and the only one which either side regarded as serious—whether or not church government had been delivered to man by the inspired word of God once for all, or whether it should assume the form most expedient for the moment. To Cartwright and Travers, it was a question of duty not of permissibility, one where obedience to God's word and not the exercise of discretion was demanded. This was, in fact, the great controversy: here was the dividing line between the two parties. "Though some other particulars be controuerted," wrote George Downame, "yet, this of the Church-government is the chiefe and principal: and so chiefe as that sometimes I haue thought the rest to be but controuersies in pretence to auoyd the enuie of this."[1] We must find our definition by deductions from the known facts of history and not by constructing our ideal and attempting to fit facts to it. Every man who has been properly claimed as a Puritan will be found on the opposite side from the Church on this issue of government and this it is which must be our test. The Puritans, historically speaking, in the year 1603, were those Protestants who espoused some other method of church government than that maintained by the established institution.

There was, however, no such thing in the year 1603 as a "Puritan party," in the sense of a strong, unified organisation of men having the same aims. Instead there were a number of groups which agreed only in opposing the form of government exemplified by the Establishment. The Brownists had no relations with the Barrowists, and the Disciplinarians disowned them both. The latter, in their turn, were split into two fairly well defined sections, which we shall designate as radicals and moderates, while there existed, in addition, an ill defined but considerable number of indi-

[1] *A Sermon defending the honourable function of Bishops,* (1608), preface.

viduals who had not as yet formulated their ideas with any degree of precision, who were, in fact, so ill defined and unorganised that their contemporaries scarcely heeded their existence. The Brownists, though organised, were too few to be of much importance. In truth, the Disciplinarians—the party of Cartwright, Raignolds, Chaderton, Sparke and Chapman—alone possessed anything approaching an organisation. They alone had definite aims and plans, together with some knowledge of the number and identity of their supporters. Urged on by the medieval sanction of conformity, they arrogated their own infallibility and superiority over all the other parties, the Church included, and declared themselves to be the only true representatives of Christ's Church in England. On the whole, it was accepted at the time, and has been since, that the Disciplinarians represented the whole of that ill defined body who have been so pertinaciously called Puritans. But despite their vigorous self-assertion, it is clear enough that they had no right to speak for the whole body, and that, in any true sense of the word, groups of Puritans and not a "Puritan Party" existed in England in the year 1603.

To do away with the necessity of following the gossip and conjecture which has hitherto prevailed in estimating the number of Puritan ministers, as exhaustive a list has been drawn up as could possibly be made of those found in England during the years 1600-1610. Every reasonable doubt and conjecture was decided in favour of the Puritans, but no name was admitted without some reason to believe that the man had really belonged to the sect. The idea which the writer had in mind was to furnish a list, which, however incomplete we might have reason to believe it, should nevertheless represent the maximum of exact information at present obtainable. No pains were spared to make it complete, but accuracy and the principles of scientific research were not sacrificed to the purpose of increasing the total.[1] Some names, however, were admitted whose

[1] The following have been included: (a) all known adherents of the Discipline and all signers of petitions for it or for reform, 1600-1610: (b) all who refused to subscribe: (c) all who refused to conform: all who refused to wear the surplice and employ the test ceremonies: (d) all men deprived or threatened in 1604-5. Any of these points has been considered as establishing *prima facie* a good claim. Those who merely failed to wear the surplice or perform the ceremonies, or whose names are found in the books of Brook, Neal, Strype, have not been included unless some evidence of their views was forthcoming. Many names in Brook clearly do not belong there by any known evidence. Still the number of such

claims were of the slightest and no man was excluded who had been well known as a "Puritan." Then, after petitions, tracts, letters, Diocesan archives, and printed books had been ransacked, the total was found to be 281. While certainly somewhat too small, it is not the less remarkable that it is very nearly the figure which assumes such prominence in all the Puritan tracts and statements in 1605 at the time of the deprivations.

	Tabulation of actual names	Calculations of number threatened 1605	Calculations in the "Abridgement" 1605
London and Middlesex	35	22	30
Essex	43	43	57
Suffolk	33	50	71
Norfolk	20	—	28
Northamptonshire	29	—	51
Hertfordshire	9	40	17
Rutland	3	—	—
Lincoln	12	—	33
Leicestershire	9	—	57
Huntington	1	—	—
Bedfordshire	3	32	16
Buckinghamshire	9	—	33
Nottinghamshire	5	—	20
Oxfordshire	6	9	9
Sussex	18	30-40	47
Lancashire	17	—	21
Warwick	3	27	44
Kent	1	—	23
Wiltshire	3	—	31
Surrey	2	—	21
Devon and Cornwall	6	41(?)	51
Hampshire	2	—	—
Worcestershire and Monmouth	2	—	—
Dorsetshire	—	—	17
Stafford and Derby	—	—	34
Somerset	—	—	17
Cheshire	—	—	12
TOTAL NUMBER	281	297	746

They mention constantly 300, 260, 270, 272. Again, a list compiled from the best Episcopal and Puritan accounts, gives the number threatened at that time as 297, and, as we should naturally expect that every man properly a Puritan would have considered himself in danger of deprivation, if conformity were rigidly enforced, there

cases was small and the total number of possible Puritans would give a result not greatly differing from this.

would seem to be some good reason for believing that this figure tallies roughly with the strength of the party as a whole. When, therefore, we find that our full list of names gives almost exactly this same total the coincidence is extremely significant and would seem to point to the fact that we have attained approximately the true figure. The list is clearly most accurate for the dioceses where the Puritans were strongest, and the number of names, which we have recovered, coincides remarkably with the figure given by the Bishop, who certainly knew more about the truth than any one outside the Puritan groups. Both of the lists are undoubtedly least accurate in the counties where the Puritans were weak, but, for that reason, the number of names which ought to be added would not be as considerable, and perhaps a total of three hundred or three hundred fifty would represent with substantial accuracy the full number of the Puritans who had declared themselves. Of the number of secret Puritans, if such there were, where no penal laws restrained, and where the ecclesiastical administration seemed powerless to prevent the public declaration of their professions, we have no knowledge. Even if statistics were forthcoming (as in the very nature of the case they cannot be) it is very doubtful whether such men have any claim to be reckoned. For when there was such a multitude of opinions in the Church, unless a man took a definite stand of some sort against the form of government established, he must be reckoned a Churchman.[1] There is no other place where the line can be drawn, for there were probably not ten conscientious men in all England in 1603, who approved of the Church precisely as it stood.

Of these 281 men, whose names have been preserved, one hundred and five had degrees and one hundred and seventy-six had none. Of the degree men, only thirty-one were more than Masters of Arts

[1] For instance, among Jewel's papers in S. P. Dom. Jac. I, X, no. 81, is a list of thirty-nine names of "resolute ministers, in Devon and Cornwall," of which he says that all but four had subscribed or conformed. The names are not, except for his own, those of men whom we can trace, nor is there any evidence to show that they were Puritans except for the fact that Jewel, a Puritan, had a list of their names. It may have been a list of men whom he hoped might be drawn into the party. At any rate, he himself furnishes us excellent reasons for not including them, because he says that all but four conformed. Furthermore, there is every reason to believe that the Puritans were not as strong in those shires. It would put them on a par at once with the great centres of Puritan influence, and, while this may be no more than the truth, such an important fact ought to have left more traces.

Distribution and Academic Status of Puritan Ministers Whose Names are Known.

	Total	Degrees	None	D. D.	B. D.	M. A.	B. A.	Had Studied
Oxford	6	5	1	4	—	—	1	—
Cambridge	10	8	2	2	2	2	2	—
London and Middlesex	35	18	17	—	4	11	2	1
Essex	43	15	28	4	2	2	3	4
Suffolk	33	4	29	—	3	1	—	—
Norfolk	19	3	16	—	—	1	—	—
Northamptonshire	29	8	21	—	2	4	2	—
Hertfordshire	9	4	5	1	—	2	1	—
Buckinghamshire	9	4	5	1	—	2	1	—
Warwick and Leicestershire	12	6	6	1	—	5	—	—
Lincoln	12	3	9	—	1	2	—	—
Rutland	3	1	2	—	—	—	1	—
Huntingdon	1	—	1	—	—	—	—	—
Bedford	3	—	3	—	—	—	—	—
Nottingham	5	—	5	—	—	—	—	—
Lancashire	17	—	8	—	3	4	—	2
Sussex	18	7	11	—	—	6	1	—
Kent	1	1	—	—	—	—	1	—
Surrey	2	—	2	—	—	—	—	—
Wiltshire	3	1	2	—	—	1	—	—
Hampshire	2	2	—	1	—	1	—	—
Worcester	2	2	—	—	—	2	—	—
Monmouth	1	1	—	—	—	1	—	—
Devon	4	1	3	—	—	1	—	—
Cornwall	2	2	—	—	—	1	1	—
TOTALS	281	105	176	14	17	49	18	7

and seven had merely studied at the University without taking any degree. While our information is very likely faulty and while it must be borne in mind, as has been already pointed out in regard to the clergy as a whole, that the lack of a degree did not necessarily betoken the absence of scholastic attainments, nevertheless it can hardly be maintained, in the face of these figures, that the Puritans, as a body, were remarkable for learning, or contained a greater proportion of learned and able men than was to be readily found in the ranks of the conforming clergy. Very likely, also, our proportion of learned men is too large rather than too small, despite the difficulty of obtaining precise information, for the learned and prominent Puritans—men of attainments and presumably with degrees—were the very ones of whom a record would most likely be

preserved, and a good many men with high degrees have also been counted who have only the slightest claims to be considered Puritans.[1] Hence, if the total of the unknown rank and file, whose obscurity may plausibly be assumed to arise from mediocrity and ignorance, were added to our count, the proportion of the learned would not be as high as thirty-eight per cent.

An investigation of the districts where our information is fullest, confirms amply what might otherwise be considered a plausible conjecture. In Essex, the proportion of the learned was high, and yet was not as high as the general average of the party—thirty-four per cent: while in Suffolk, out of thirty-three men, only four had degrees, and in Northamptonshire, eight out of twenty-one. The records of the fifteen years preceding afford even more complete lists of the members of the various districts[2] and, on inspection, we discover that, out of twenty-one members of the Dedham Classis, six had degrees: of the seventeen members of the Northamptonshire Classis, five had degrees; and nine out of the nineteen brethren of the London Classis had attained a similar distinction. On the other hand, we find that this proportion leaps to fifty per cent. in the counties where our information is not as reliable, as in Buckinghamshire and Lancashire. But the proportion of men with university training among the conforming clergy was at least as great as it was among the Puritans, and there were parts of the realm where the proportion of degree men is positively known to have been far higher. In Bedfordshire, sixty-three out of eighty-seven incumbents had degrees; in Oxfordshire, according to one report, ninety-three were graduates and seventy-four were not: while in the diocese of Lichfield, in a quarter of England where we should expect to find the proportion of ignorant men unusually large, twenty-five per cent. had degrees. In several districts of Norfolk, Suffolk, and Cambridgeshire, as many as fifty per cent. of the clergy were furnished with degrees. Indeed, the causes of the growth and influence of the Puritans as an historic party, must be sought elsewhere than in any moral and intellectual superiority over the clergy who were loyal to the Establishment.

[1] As Henry Airay, DD. Vice Chancellor of Oxford, 1606; and Gabriel Powell, B. D., Chaplain to Vaughan, Bishop of London, in 1605. The only evidence is the hearsay statements of Brook and Anthony-a-Wood.

[2] These have been printed on p. xxviii and xxix of Usher's *Presbyterian Movement.* (Camden Society.)

A further study of this most instructive list reveals the fact that 206 out of this 281 are merely names to us, that is to say, we know nothing about them beyond the fact that they perhaps took a degree, lived in some little parish, and were threatened, suspended, deprived, or signed some petition.[1] Of thirty more we have some slight knowledge, but, out of the whole 281, there are only about forty-five who can be called prominent men, about whom we have enough data to enable us to form some conception of their character, learning, and ideas. These are, in fact, the men of whom we read, who make the plans and execute them, who write the tracts, who draw the petitions and procure the signatures to them. Of the forty-five, twenty-seven had degrees and eighteen had not. Five, however,—Ames, Ainsworth, Robinson, Bradshaw, and Jacobs—were really Brownists and Separatists; five more—Downame, Sparke, Feilde, Bedell and Ward—left the Puritan ranks before Bancroft's death and joined the Church. The real leaders, the real backbone of the Disciplinarian party, who drew the Millenary Petition, who were threatened with deprivation and aroused the sympathy of the House of Commons, were thirteen men. Raignolds was a Doctor of Divinity; Chaderton and Knewstubbs were Bachelors of Divinity; Egerton, Fenn, Hildersham and Erbury were Masters of Arts; Burgess and Nichols, Bachelors of Arts; and four, Wilcocks, Dikes, Norden, and Jewel had no degrees of any sort. Out of thirty-two men selected by the Puritans to represent the party at the Hampton Court Conference, on the third day, twenty had no degrees that can now be ascertained.[2] In this fact very likely lies the explanation of their appearance in the furred robes of aldermen instead of academic gowns—they were unwilling to demonstrate to that dignified assemblage that less than half of the men, eminent enough to be delegated on such an occasion, had the right to wear an academic gown. The explanation of the puzzling fact that out of the thirty-two there were no representatives from Essex, Norfolk, or Suffolk, except Knewstubbs, who was one of the principal speakers, although more than one-fourth of the party were in those

[1]	Prominent.	Less well known.	Names only.
Degrees.	27	20	62
No degrees.	18	10	144

[2] Report on the Beaulieu MSS. 34. See Chapter II of Book Second for full details. It has not been hitherto known that there were more than four Puritans present at the Conference.

THE DISTRIBUTION OF PURITAN MINISTERS, 1603.

The single crosses represent the location of one minister; the double and triple crosses, the location respectively of three, and five (or more) ministers beneficed in the same place. Where the minister's location could not be definitely determined, he is not represented at all, for the map is designed to show the maximum of exact information now possessed. (*From a sketch by the Author.*)

three counties, seems to be that the leaders of those sections had died and there were no others to take their places. Seventy-two out of the one hundred and seventy-six men without degrees were to be found in Essex, Norfolk, and Suffolk. Indeed, the whole balance of the party had changed. Fifteen years earlier, the bulk of the men of talent and eminence had been in those very counties and in Northamptonshire. Now, however, although Northamptonshire maintained its place and although Essex and Suffolk still led in mere numbers, the brains and energy of the party came from London, Essex, Lincolnshire, and Hertfordshire.

Additional reason to believe that the total of about three hundred Puritan ministers is substantially correct, and the proportion of learned men sufficiently accurate, is afforded by comparison of these results with those obtained in preparing a similar list for the earlier phase of the movement 1582-1590.[1] In thirteen years, the party had made great progress, growing from 162 to 281. In 1590, fifty-four had been at some college and of them forty-six had degrees, or, in other words, the actual number of learned men had doubled in thirteen years, rising from fifty-four to one hundred and five. In the main, the earlier movement, with some exceptions, had been one of Cambridge men, with its adherents chiefly in the counties grouped about the University: now we find that a considerable number of Oxford men are among the brethren, that the Puritans are found in most of the southern and eastern counties of England, and that in Sussex a great centre of Puritan influence has risen into such prominence as to challenge the supremacy of London and Northamptonshire. As a matter of fact, such a growth compassed in so few years, despite the inevitable losses of the party from death, which were unusually heavy, 1595-1603, is little short of astonishing. The record of the ten years, 1611-1621, after Bancroft's death, when the Discipline had been finally abandoned, was to be even more striking. In truth, the Puritans of the Civil War were the growth of the years succeeding 1615, and have little more than a sort of historical connection with these earlier phases of the movement.

As was to be expected, where the leaders were men of attainments and discretion, and the rank and file had little of either, the party was divided against itself. The radical element far outnumbered

[1] This list has been printed in full in Usher's *Presbyterian Movement*, (Camden Society) xxxv-xlviii.

the moderates, were eager to hasten on the crisis, and to declare war upon those "antichristian hirelings," the bishops. If the Discipline had been actually the form of the early Christian Church, if God had set upon it the seal of His approbation, He must have commanded its institution in England, and some of them seem to have had a vague idea that the Lord would fight for them as He had for the prophet of old, and would fill the hills with a glorious army of chariots and horsemen.[1] The leaders and the moderates had little sympathy with the bulk of the party in which had been enrolled, without their being very well able to prevent it, a good many rash and bigoted men, who possessed neither learning nor moderation, and whose long rambling prayers and slovenly sermons were a reproach to their cause.[2] The ecstatic enthusiasm so evident in their letters sometimes led both clergy and laity in a frenzy of zeal to drag some conforming clergyman from the pulpit, tear off his gown, and beat him soundly[3]; others openly defaced the Book of Common Prayer by ripping out its leaves, and stamping its fragments into the mire.[4] One man was complained of for openly shouting gibes, taunts, and threats at the preacher during his sermon, and when haled before the ecclesiastical tribunal, wrote to

[1] Letter of William Teye, printed in *Presbyterian Movement*, 82.

[2] One of the Puritan Leaders wrote: "I am ashamed to name the Boldness and Folly of some, who scarcely able to utter three Words orderly will yet take upon them to babble out a tedious long and stuttering Prayer, wherein every tenth word shall be the repeating of O heavenly Father, O merciful Father . . . and all things so foolishly packed together, that their praying seemeth rather to be the prattling of an Infant, that would tell some great tale but cannot hit of it." (*De Disciplinæ Ecclesiæ.*) John Penry wrote in his *Treatise containing the Equity of an Humble Supplication*, "It hath been the just complaint of the godly in all ages, that God's eternal and blessed verity . . . hath been of that small reckoning and account in the eyes of the most part of our great men as they valued it to be a mere loss of time to yield any attendance thereuppon. Hence it cometh to pass, that the truth being at any time to be countenanced, none very often are found in the train thereof but the most contemptible and refuse of men. . . . And which is far more lamentable, inasmuch as the drowsy and careless security, the cold and frozen affections of the godly themselves in most weighty affairs is never wanting." (1587) Francis Bacon wrote, "God forbid, that every man that can take unto himself boldness to speak for an hour together in a Church upon a text should be admitted for a preacher, though he mean never so well." (Spedding, *Life and Letters*, III, 119.) He had doubtless listened to the Puritans whom his mother liked, yet among them were some of the leaders and noted men.

[3] Stowe MSS. 424, f. 158, several cases of this nature.

[4] *Hist MSS. Com. Report, X*, pt. iv. 480, Custos Rotulorum Essex; also, pt. ii, 62-3.

Burghley, that "he dared so boldly stand upon the honesty and credit of his behavior as any Churchman in England.[1]

The leaders by no means sympathised with such actions. "I confesse to yow, my most entier brother," wrote Edmund Chapman to Thomas Cartwright, "that I feele in myself some dislike of both parties for their hotte and violent manner of proceedinge, either seekinge by all means to conquer and deface th'other, not dulie regarding the holie Communion they haue in their head Christ Jesus, and among themselues being fellow members of him, I know the truth is pretious and must be maynteyned and stood for, and put forward as far as any waie is made open for yt: But I most humblie and earnestlie desire yow in whom I haue long obserued a speciall grace of sober and uprighte iudgmente, to imparte with me some of your holy meditations in this behalf, as whether a more mild and brotherlie course were not to be taken up of us for the framinge as well of their affections as of their iudgements to some better acceptation of us, and our cause, which being better approved and blessed of the Lorde, that huge blocke of our to open and bitter dissention mighte be taken out of their way that are yet to enter into the Church, the comfortes of all the professors might more abound, and a great deale of syne now committed in harte, gestures, speeches, practices, and harde dealinge on both sides beaten back and prevented."[2] Shortly after, he wrote to Field, the leader of the London Classis, "Remoue the cause, persuade to loue and kindnes, correcte the inordinate zeale of some, who thinke yt a great peece of religion to iudge and exclude others whom they loue not. and let us growe to a more generall conference for unity both in affection and iudgment if yt may be, that we may see and feele more comforte in ourselues and in our brethren."[3]

It was these excesses of the rank and file, which influenced an unknown but considerable number of learned men, otherwise inclined to Puritanism, to remain outside all these Disciplinarian disputes, and to withold their allegiance from either wing. George Downame, a man of considerable attainments, long forbore to examine the grounds of the difference of opinion, partly because busy with other studies, "and partly because in my slender judgment, I could not then see what good would come either to myself

[1] Strype, *Whitgift*, I, 289-294, especially at 292.

[2] Usher, *Presbyterian Movement*, p. 81, Nov. 4, 1584.

[3] *Ibid.* 95. 1584 (?).

or to the Church of God, by my paines taken in that controuersie. For I conceiued the issue of my studie would be, either the disgrace of my ministerie among the forwarde sort, if I resolued as now I knowe I should haue done,[1] or the ouerthrow of my ministerie if I should stand for that discipline. Thus, was I content to remaine in suspense, whiles I tooke it to bee the best course, both for myselfe and for the Church, to bee no medler on either side."[2] How many such men there were will never be known, because they took particular care in most cases to keep their opinions to themselves, and they never left the Church. They were, perhaps, the cream of the Puritan party, and Bancroft was anxious, as the Canons of 1604 attest, to do everything possible to draw them into the Church by moderation and lenience upon some points of doctrine and ceremony. But believing that they did not approve of the "Discipline," so loudly pushed to the front by the more radical, he was outspoken in his disapproval of the latter's platform and methods.

We could hardly have a better opportunity to observe the inner workings of a Puritan mind of this stamp than is afforded us in the Diary of Samuel Ward, Fellow of Sidney Sussex College, Cambridge.[3] At that time, the College was filled with more or less radical Puritan divines who fell under the influence of Chaderton, one of the most learned and pious of all those who heartily approved of the Book of Discipline. Ward frequently attended his sermons and unconsciously confessed, on almost every page of his diary, the insufficiency of the Puritan system to afford him mental comfort and peace. He upbraids himself many times for his "desir of vayn glory yea in little things, wearisomnes in godes service . . . no delite in hearing god's word, or in prayer, or in receyving of the sacraments." On May 11, 1595, he censured himself for his "anger against M. N. for his long prayers;" for "my negligence in coming to prayers and my little care for the same;" for "my rising without thinking on my god, my irksomenes and unwillingnes to pray." followed by a glad cry of thanks over "the goodnes of god

[1] That is, for Episcopacy.

[2] *A Sermon defending the honourable function of Bishops*, (1608) preface. It may be noted in passing, that he does not say "Divine right of Bishops."

[3] In the Sidney Sussex College Library. He is not to be confused with Samuel Ward, the Ipswich minister, though the writer feels almost sure that the *Dictionary of National Biography* has fallen into this error.

to me in blessing my prayers, and in giving me grace in some acceptable manner in calling upon him." But soon he noted, "I must learne to desyre more after the Sundays then the Mundayes," and in December, 1597, indited the following remarkable item: "my slack hearing of the dean (Chaderton) and how often I do absteyne from going forth of the congregation only for fear of scandall, when I should be delited with the sound of god's word." Yet this same man stood staunchly when the time of trial came in 1605, and though he himself would have preferred to submit to the subscription required, bravely refused because some weaker man than he might, by force of his example, be led to do violence to his conscience. No doubt too much stress can easily be laid upon the morbid introspection of such a man, in whom "slackness" might be greater than diligence in many another, but it is highly instructive for us to know that such thoughts could fill his mind and that such statements could form the great bulk of almost daily entries in his diary.

If there were about three hundred Puritan ministers, what was the total of their following among the laity, and in what classes of the community did they find the support which they certainly had? Most contemporary observers—by-standers, one might call them—thought that the number of Puritan laity in England after Elizabeth's death was very considerable. "We may believe," wrote Molin, the Venetian Ambassador in 1607, "that a third of the population is Puritan, though the King and his ministers employ every art to destroy them."[1] The outward evidence as reported by rumor and gossip at the time tended to confirm this conclusion. There was the Millenary Petition actually signed, as it was said, by a thousand ministers; there were the numerous minor petitions; the great number of tracts in their defence; and above all the action of the House of Commons in their favour. Declarations from ambassadors like Molin, and the consideration of such happenings as these caused Fuller to remark in his *Church History*, upon the "assiduity and diligence of the two potent parties, the defenders of Episcopacy and Presbytery," and upon their "equall hopes of successe."[2]

[1] *Venetian Calendar*, X, p. 511, see also no. 347, 355.

[2] Book X, p. 7. Some of the Puritan tracts made sweeping assertions; "How shall we better know how the Church of England liketh these things then by the iudgment which the greatest number of her able ministers have voluntarily given of them?" An *Abridgement* of the Book of the Lincolnshire Ministers, p. 53. The table just quoted of 746 ministers

From both of these sources, the opinion has become well established in historical literature that the number of lay Puritans was very large indeed.

Yet we begin to perceive that Molin and others like him were in the habit of repeating information gathered from the gossips of Paul's Walk or the courtiers at Whitehall, and not from sober investigation, when we find him solemnly reckoning the Archbishop of Canterbury's income at thrice its real size,[1]—a fact on which the truth should have been easily ascertainable—and stating that some two hundred Puritans presented a petition to James at Royston when we know that the exact number was twenty-eight.[2] Chamberlain, one of the letter writers, who has been much read and trusted, wrote from London about a fortnight after the presentation of the Northamptonshire Puritan petition that it emanated from "some three of four score gentlemen,"[3] when in very fact it was signed by thirty-nine, three of whom presented it to James. Here were facts which happened in or near London only a very short time before these letters and despatches were written, and accuracy should have been attainable on them if such men could ever attain it on anything. If Molin and Chamberlain could not narrate exactly what went on under their very eyes, how can we accept their statements as to the number of lay Puritans, when no evidence existed and when, with the difficulties of communication, none of value could be collected by the most diligent and impartial contemporary. When we consider how difficult it is to-day, with all modern conveniences, to estimate, with anything approaching accuracy, the number of adherents of any view, political or religious, and when we remember that the statements in newspapers, magazines, and reviews cannot now be accepted as correct, we may well inquire into the veracity and amount of information possessed by

comes from this same tract! Were there only a few more than 746 able men in the Church?

[1] *Venetian Calendar*, X, no. 199, March $\frac{1}{11}$, $\frac{1603}{1604}$. He declared that the income was £6000 where it was really £2300, and the highest estimate was £3000.

[2] "A few days ago, two hundred Puritans and more went to his Majesty at Royston. . . . The number of Puritans is great and the sect includes some distinguished persons." December $\frac{20}{30}$, 1604, *Venetian Calendar*, X, no. 313. "The Puritans about Royston to the number of about seaven or eight and twenty." More to Winwood. (Winwood's *Memorials*, II, 36.) December 2, 1604. We know of only one petition presented to James at Royston. It is in Harleian MSS. 677, f. 44.

[3] Winwood's *Memorials*, II, 49. The original petition is in the S. P. Dom. Jac. I, XII, no. 69.

some gossip or newswriter who lived three centuries ago. Yet, in no other sources do we find these statements that the Puritans numbered a third or a fourth part of between four and five millions of people. The Puritans themselves did not claim so much.

Molin based his estimates upon the assumption that there were several thousand Puritan ministers, and that the congregations of each agreed heartily with his views, and were, at that moment, according him their support in his opposition to the Church and Crown. Judging from the practice of the Scotch and the Dutch churches and of the English Separatists in electing their own minister and sharing in the government themselves, the conclusion was not only reasonable but inevitable, that, wherever there was a Puritan minister, there must be a Puritan congregation, for, unless the minister were sympathetic, he never would have been called. Egerton and Wilcox did, in fact, preach each Sunday in London to crowded benches, and it was natural enough that Molin and others should assume that all Puritans ministered to equally enthusiastic congregations. But the vast majority of the Puritans were not Separatists, and were not elected by their congregations, and their presence in the pulpit of a certain church cannot therefore *prima facie* prove anything regarding the attitude of the people toward their minister. The Puritan was presented, like every clergyman, by the patron of the benefice, and the people had not any right whatever to object to his induction on the score that his theological views were not sound or that his ability as a preacher was insufficient. The theory of the Church took no account of their predelictions and assumed that any man, possessed of the minimum requirements prescribed by the Establishment, would be entirely satisfactory. It is therefore impossible to *assume* that the congregations of the Puritan ministers were either favourable or hostile to them. But, making that assumption, granting that there were seven hundred ministers each with a congregation of five hundred souls enthusiastically devoted to him—in each case the very largest possible total—and we shall even then find that the Puritan laity numbers only 350,000, or only a sixteenth part of the people of England. And yet this calculation is based upon an assumption which we know is not true, and presupposes a number of Puritan ministers and an average congregation which exceed the best evidence by at least fifty per cent.

Several varieties of evidence, each excellent, lead us to the conclu-

sion that many of the congregations of these Puritan ministers looked on them with very little favour. If we find the wardens regularly presenting the vicar to the Archdeacon or to the Bishop for administering the communion to people seated in their pews or for refusing to wear the surplice; for failure to read the prayer book or for omitting the sign of the cross in baptism, we may safely conclude that they possessed at least no great desire to have him continue those practices. To assume that they were hostile, to assume that they were all agreed as to the policy they did approve, would be going further than is necessary for the purpose of the argument, and there was, very likely, a great deal of indifference on their part as to what he did. Still, whatever degree of opposition the presentment signified, certainly it cannot have been actuated by the desire to support such practices.

John Trendle, the rector of Ouerington, (Norwich Archdeaconry, 1592) was presented: "He saieng publique service, he haue not used to saye the former of the first parte of the prayers of scripture menconed in the beginen of the booke of comon prayer to be first red but usuallie beginneth at and with the Lordes prayer. . . . He weareth not the surplesse at all, he catechiseth most comonlie euery Sondays but not the Catechisme articulate but with Mr. Mores. he publisheth not holly dayes by ther speciall names nor fastinge dayes at all. he haue often in the pulpit prayed for elders and trewer discipline to be in this Church of Englande, and they neuer hard him giue her Majestie the titles Articulate: in his sermons he haue usuallie termed suche ministers as cannot preache domme dogges, as euell as deuills. he hath diuers tymes persuaded many to leaue their owne churches in seruice tyme when ther minister cannot preach and to resorte to such as canne preache . . . he hauinge private contention with John Withers dyd of his owne authoritie suspend him from Churche. . . . he haue heretofore repelled from the Communion diuers parishioners uppon freuelus causes . . . he hau been very unquiett and troblesom amonge his parishioners in sutes." Mr. Smart, vicar of Preston Capes, Weldon Archdeaconry, Diocese of Peterborough, 1591, was presented.[1] "The minister weareth not the surples nor baptiseth accordinge to the booke and refuseth openly to weare the surples we haue pre-

[1] In Morrice MSS. B, II, 82-84, is a long account of similar troubles with his parishioners in 1584.

sented him often but we haue noe reformacon." In 1605, Smart was deprived, and, far from sympathising with him, they presented "Mr. Smart, our late Vicar for that upon Palme Sunday last he disturbed Mr. Welbord Vicar when he was going to administer the Sacraments. . . . Item, we present Mr. Smarte for not receyving the Communion at Easter last past; he came and offered himselfe but bycause he would not kneele Mr. Welbord, our vicar, would not administer the sacrament to him." The wardens of Watford, Hertfordshire, in 1599, declared that "Mr. Anthony Watson hath not worn the surplesse; he hath omitted the cross in baptism: and he administers the communion to the people standing."

Some time after Richard Sherman, of Horham, Suffolk, (Archdeaconry of Suffolk, 1606) had been deprived, his parishioners presented him: "He left his cure unserved three several Sundays after Trinity. He hath not, since his convention before his Majesties Commissioners, used the prescript forme of the boke of common prayer. He doth not administer the Communion so often that every parishioner maye receaue the same thrice a yeare. He hath preached at Southold, Eye, and Debucum (?) and in his own parish notwithstandinge he was inhibited by the Ordinary. . . . He did not reade any parte of the Divine Service uppon Sundaye morninge beinge the 30 of June but immediately upon his entrance into his deske began his prayer and so proceeded to his sermon notwithstandinge his inhibition aforesaid." John Baker, vicar of Chattisham, (Archdeaconry of Suffolk, 1606) "hath not redd all the Cannons. He doth impugne and speake against the rights and ceremonies established in the Church of England. He doth not use the prescripte forme of common prayer, but readeth psalmes of his owne chosing neyther doth observe all the rights and ceremonies prescribed in the said Book. He hath administered the Communion but once since Xmas was xij monthes. He doth not use the signe of the crosse in baptisme. He weareth no surples nor whode nor byddeth fastinge nor holy daies."

Far from there being only a few such entries as these, as might well be objected, seventeen parishes out of thirty-seven making presentments in the City of Norwich presented their minister for one or more faults of this nature, and the other twenty were occupied, as the records show, by men who conformed better to the ordinances of the Church. In 1606, twenty-two out of fifty-four

parishes in the Archdeaconry of Norfolk, sixty-six out of one hundred and eighty parishes in the Archdeaconry of Sudbury, and forty-one out of one hundred and fifty-five in the Archdeaconry of Suffolk, also presented for faults of this type, while, in the Archdeaconry of Sudbury, in 1611, forty out of one hundred and seventy-one parishes, who made presentments at all, made the same complaint. It cannot be inferred, however, that the minister presented was in every case a Puritan, for a careful inspection of the Records for a long period of years shows that, from one-third to one-half of such cases were merely the results of the ignorance or indifference of the minister. To include such men within the Puritan party would considerably increase the proportion of ignorant men and furnish as well, a goodly number of well attested cases of nonresidence, drunkenness, and other crimes which are not usually associated with the Puritan practices. The omission of the Litany or a few prayers, the failure to say prayers at all on Friday, the occasional failure to wear the surplice did not ordinarily spring from conscientious scruples.

Whether or not the wardens sheltered their minister by not appearing at the Visitation, is a point on which nothing conclusive can be found. It is impossible to say how many parishes made no presentments at all. After a prolonged attempt the present writer is convinced that even approximately complete statistics for any diocese for any one year are practically an impossibility. Where the records are not lacking altogether, there are usually reasons for believing that they are not complete. To find out with precision how many parishes were vacant of ministers; how many were held in plurality by men non-resident; from these to discover the actual number of ministers in the diocese in any one year, and from this to calculate how many were presented and how many were not, is a task which can be achieved only by immense labour, while the result would be necessarily very far from accurate. Nor would so very approximate a result be of value, for the question would still be unsolved why there were no presentments made. It can, however, be said that few ministers, if any, were sheltered for long in this way. Most of the parishes which, from other sources than the Visitation records, we know to have been Puritan, made presentments as regularly as any, and often, as has been shown, presented the rector for those very omissions which his faithful ad-

herents would have been most eager to conceal from the bishop's eye.

Still, even if these were not isolated cases, even if the wardens did not shield the minister by omitting to make any presentment at all, might it not be a very formidable objection that the wardens presented the minister because they were compelled so to do, and not because they lacked sympathy with his ideas? Putting aside the question whether the Church administration after the Reformation was ever able effectively to put such pressure upon each individual churchwarden, the objection seems to be without much ground. Not only does it contradict all we know of the stiffness with which a Puritan could stand out for his views, even to neglect of a legal duty, but it conflicts with the evidence in this very matter. Where personal reasons influenced him not to present the offender, the warden did not do so, and, for his pains, was, in many cases, presented himself by the people of the parish, together with the culprit whom he was trying to shield. Mr. Mardcaster, of Kirkbecke, Lincoln, (Lincoln Archdeaconry, 1594) was presented for not wearing the surplice on the plea that they had no decent surplice, and, went on the informant, "nether haue we had any that was decente these twoe yeeres and that Simon Pedder, Robt. Ingold, and Anto: Dowse were Churchwardens, neither presented it nor boughte any." The wardens of Coates Parva, whose vicar was deprived as a Puritan, were presented "for yt they want a surplisse, a byble, a Communion cupp, a pulpitt, a Convenient seate to say service." (Calceworth Deanery, Lincoln, 1611.)

The clearest proof, however, that the wardens, when they did present, were not acting under compulsion, is shown by the fact that there are two sorts of answers to the question whether or not the vicar wears the surplice. It is difficult to believe that there was any compulsion behind the following presentments. "We present the parson Clement Martin," said the wardens of Tidd, (Ely, 1593) "for that he weareth not his surplesse, it being made sweete and cleane and laied before him the third daye of Januarye. And for that he said we presented him for ould Ceremonies, viz. for not wearinge the Surplis and for not goinge the perambulation." The complaint against William Giles, vicar of Elme, (Ely, 1601) was "that he refuseth to wear the surpless and the same beinge layed upon the table at the ministration of the communion, he took and layed it into the cheste and would not wear it." Mr. Bottes, the

vicar of Ashehill, (Norfolk Archdeaconry, 1606) was presented because "he weareth not the surples nor hath done within this twoe yeres sithence his Cominge. He weareth not a whood . . . they saye they haue a surples made of nine yardes of yard broadecloth cost 2s. 6d. the yard, notwithstandinge Mr. Bottes refuseth to wear it by reason of scantness as he sayeth."

On the other hand, such presentments as the following certainly proceeded from people who did agree with the minister's scruples, for we know from the Dedham Classis Records and Adam Winthrop's diary, that both minister and wardens were Puritans. "He never weareth the surples," said the wardens of Wenham Magna, Suffolk Archdeaconry, "for that they neuer had any untill a week before their examination." (1606) And likewise the wardens of Boxford, Suffolk, declared, in 1606, that "their minister hath not worne the surples by reason they haue not a convenient one." In other cases, the frequent recurrence of the same presentment by the churchwardens of the same man for the same offence precludes the possibility that many of these could have been actuated by personal spite or disagreement.

Nevertheless, if the only evidence we possessed of this striking fact, that the congregations of these Puritan ministers were very often hostile to their theories and practices, came from the presentments made at visitation where some element of compulsion might perhaps be supposed to exist, and where it might well be said that one discontented man could indict the minister for the very practices which the vast majority of his people approved, we should indeed be justified in suspending judgment. The Puritans' own letters and records, however, furnish in abundance explicit proof of this contention. From the Minute Book of the Dedham Classis, in Essex and Suffolk counties during the years 1582-89, as chronicled for us by the secretary in his own handwriting, we learn that the most active and efficient of the Classis were continually troubled by the opposition of their congregations. At one of the very first meetings, "Mr. Lewis propounded whether the people ought to leaue their pastor, when he teacheth, to goe to heare others ordenarely:" and the meeting voted "that the people of euery congregation shuld ioyne with theire owne pastors in the use of the word and Sacramentes."[1] "Mr. Newman asked counsell what shuld be done

[1] Usher's *Presbyterian Movement*, p. 28: compare, however, p. 46, 62.

with such men as trouble their ministers being altogether disordered, against whom, if the ministers compleyne, they may feare by their compleints agayne the ouerthrow of their ministry.''[1] ''Mr. Stocton asked the Brethren Counsell what he might doe with a froward person of his parish being the Churchwarden.''[2] One of the most famous of the Puritan leaders and one of the spokesmen at the Hampton Court Conference, John Knewstubbs, was regularly presented by his churchwardens from 1600 to 1612 at every visitation, great and small, ''for not wearing the surplesse nor useth the signe of the crosse,''[3] both of which omissions he strenuously defended at the Conference.

There are, then, potent reasons for believing that a very considerable number of the so-called Puritan congregations not only were not in harmony with the ideas of their pastor on ceremony and doctrine, but were actually so hostile to him that they were quite ready to expel him, or bring him before the church courts. If this is true, then the strength of the Puritan movement must have lain almost entirely in its clergy. It was a movement of the ministers and for the ministers, who heeded little the desires of their congregations. The people were to be ruled and to obey the Word of God as delivered by the lawful interpreters thereof and it was not their place to give suggestions of their own. However that may be, it is entirely clear that the number of Puritan laity cannot be calculated by simply multiplying the number of ministers by some average size of congregation which we might arbitrarily select. There is, in fact, no evidence from which the number of laymen can be estimated at all. Only one conclusion seems to deserve the name: that there were very few congregations composed entirely of ardent Puritans: that there were a number where the influential men were Puritans, where a good-sized minority of the parish supported them, and where the remainder, chiefly dull peasants, acquiesced or sat stolidly indifferent. The great bulk of such laymen as did espouse these principles, however, must have been scattered over England, a few here and a few there, usually isolated in-

Even if the people only went to hear another Puritan, it is still clear that there was no harmony between them and their own minister.

[1] Usher's *Presbyterian Movement*, p. 49.

[2] *Ibid.* p. 69. Mr. Negus was actually driven out by his congregation, (p. 46) and Crick, one of the leaders, was in continual trouble with them; p. 40, 46, 49, 50, 53, 42, 60-63.

[3] Records of the Archdeaconry of Sudbury at the Norwich Episcopal Registry, under ''Cockfield.''

dividuals or families, who received little encouragement from the people about them, or from the minister of the district.[1] According to Covell, who wrote in 1604, the Puritans bragged that "in this quarrel for reformation a hundred thousand hands would be gotten."[2] If we accept this statement, about two per cent. of the population will be enrolled as Puritans, leaving the rest to be divided between the Catholics and the Established Church. Whether or not that two per cent. is an exaggeration, no one can say, for certainly neither the man who made, nor the man who censured it, had any more real evidence of the actual number of laymen in favour of those principles than we have, three centuries later. The difficulty of communication rendered it simply impossible that any one should possess accurate information of that nature, and, in truth, what the writer was giving was his guess or impression. Let the best informed of us to-day make a similar estimate from similar data of the number of nonconformist laymen in England at the present moment, and then consult the census and see how far his idea will be from the truth. Nevertheless, that two per cent. is not so small as it appears to be, for it must be offset, not by ninety-eight per cent. who favoured the Established Church or Catholicism, but by seventy-five per cent, who were utterly indifferent to all forms of church government or details of ceremonies. Out of the remaining twenty-three per cent., very likely five per cent. were avowed Catholics, and eighteen per cent. were zealous followers of the Establishment.

The reasons for the growth of Puritanism are to be found neither in the unusual learning and ability of the Puritan ministers nor in the ardent support accorded them by a large section of the English people. They are disclosed in the complicated and perplexing economic and institutional condition of the Church. Puritanism was born of the evils, as well as the excellencies, of the Reformation settlement. When Henry VIII had assured to the laity and to the Crown the rights of presentation which were connected with the old monastic property, he had given them practically the control of the personnel of the clergy. The judgment and discretion, the personal ideas and sympathies, as well as the family interest of some nobleman were now to decide the type of man who should

[1] This conclusion is supported by the Visitation Records of Hampshire, Surrey, Cambridgeshire, and western parts of Norfolk and Suffolk.

[2] *A Modest and Reasonable Examination,* 38, (1604)

supply the vacant benefice. If that layman were himself a Puritan, there was no legal obstacle in the way of his presenting a Puritan minister to a benefice in the Church: if he controlled ten benefices, he might fill every vacancy with a Puritan, for the bishop was legally bound to accept the patron's nominee, unless he was gravely deficient in character, learning, or doctrine.

Chance had accumulated in the hands of the great landlords numbers of these rights of presentation scattered over various counties. Lord Rich, later the Earl of Warwick, controlled many in Warwickshire, Leicestershire, Northamptonshire, Suffolk, and Essex: Lady Bacon and Lord Grey of Wilton presented to many in Hertfordshire and Buckinghamshire: Sir Richard Knightly, Sir Edward Mountague, and Sir Francis Hastings were great patrons in Northamptonshire; while Sir Robert Wroth, Sir Robert Jermyn, and Drew Drury controlled many in Norfolk, Suffolk, and Essex.[1] From these men, the greater part of the Puritan ministers held their benefices, and others became private chaplains in their houses, or in those of their friends and relatives. The same circumstances which had made the advowsons temporal property, had made them heritable and saleable property, and there was, therefore, nothing to hinder a man from purchasing rights of presentation solely for the purpose of creating places for Puritan ministers. There can be little doubt that some few of the gentry exercised this legal privilege, and that several of the town corporations thus secured control of one or more benefices in the town, and forthwith filled the vacancy with Puritan preachers and lecturers. Boston, Ipswich, Lincoln, Northampton, Coventry, not to mention many smaller towns, ac-

[1] The essential truth of this statement can be seen from the *Minute Book of the Dedham Classis;* from Urwick's *Nonconformity in Hertfordshire;* from the history of the Marprelate Tracts; but especially from the Books of Institutions at the various Diocesan Registries. Any complete tabulation, however, of the number of benefices controlled by particular men was found to entail so enormous an amount of labor that it had to be abandoned. A few details, though incomplete, may be of interest. By actual count, the following landowners controlled the following number of benefices in the archdeaconry named, and it is probable that they had still others. Jermyn, Archdeaconry of Sudbury, 10: Drury, Archdeaconry of Sudbury, 6: Bacon, Archdeaconry of Sudbury, 8: Archdeaconry of Norwich, 7: Archdeaconry of Suffolk, 4: Coke, Archdeaconry of Norwich, 7: Archdeaconry of Suffolk, 2: Lady Kydson, Archdeaconry of Sudbury, 7: Christopher Heydon, Archdeaconry of Norwich, 10: Paston family, Archdeaconry of Norwich, 9: Wentworth, Archdeaconry of Sudbury, 7. These details come from the Bishop's Report of 1603, Harleian MSS. 595.

quired such property,[1] which, in the growth of the later Puritanism, after Bancroft's death, assumed an importance which it did not possess in 1603. While many men became Puritans from conviction after they had secured benefices in the Church, and while more were appointed by patrons who controlled only one or two benefices, nevertheless careful investigation makes it seem probable that the majority of the Puritan ministers, in the counties where the sect was strongest, owed their places to the enthusiastic proselytism of these few influential gentlemen who have just been named.

The adherence of such men, in fact, made the Disciplinarians a "party" and enabled them to exist in the Church. Nay, more, it maintained them in the Church, despite the efforts of the Episcopate. Inasmuch as the execution of the ecclesiastical laws was entrusted largely to the gentry, in conjunction with the bishops, they were usually able to protect their friends from episcopal interference.[2] The numerous petitions, which occupy so large a place in Puritan history, were signed by these same gentlemen: the bills and petitions presented to the House of Commons, or drawn up by it, emanated from these same men, who grouped about them their friends, relatives, and retainers, together with the representatives of the town corporations which had espoused the "cause." Although it is indeed remarkable that such petitions and bills should have been proffered to the King at all, it is nevertheless impossible to regard them as evidence of the spontaneous sympathy which

[1] Full details can be found of the financial matters connected with the benefice and also for the ministers appointed, in the Corporation Records, many of which have been published either by the town itself or in extracts by the Historical MSS. Commission. The Bishop's Report for the Archdeaconry of Norwich in 1603, in Harleian MSS. 595 shows twelve towns which owned the presentation. Several were also owned by the parishioners, who paid small salaries varying from 20 marks up to £10. (f. 160 b.) The inhabitants of Wyveton were proprietors of the parsonage of Burston. (f. 132 b.) One man bought two presentations and made himself rector of both benefices. (f. 157 b.) In the village of Leeke, Staffordshire, the parishioners each bought their own tithes, worth in the aggregate about £400, and then allowed the vicar £10. (*The Lamentable State of the Ministry in Staffordshire,* 1603. Morrice MSS. M. no. 5.) When such irregularities were possible, it is hardly likely that there would be any obstacle to the acquisition of presentations by Puritan gentry.

[2] The Justices of the Peace protected the Vicar of Hope in his unworthy practices. One "would have had the vicar lycensed to sell ale in his vicaredge, althoe the whole bench had commanded the contrary. . . . He is not to be punished by the Justices for the multitude of his women, untyll the bastards whereof he is the reputed father be brought in." October 12, 1609. Lodge, *Illustrations,* III, 391.

ministers received from any very numerous section of the people. Many an inference, indeed, has been made from these facts in favour of the contention that the Puritan laity did number a fourth part of the total population of the realm. It is a truism in English constitutional history that the House of Commons, under Elizabeth and James I, was no more representative of the nation at large than it was under George III. At both periods, it was controlled by the gentry and the town corporations, and while its votes and petitions demonstrate that the Puritan ministers possessed a powerful following among the gentry, the action of the House proves nothing, one way or the other, concerning the people at large. The influence of the gentry with the people was great but it was not then exercised through the House of Commons.

All the difficulties and evils in the constitution of the Church seemed to serve the Puritans to the utmost. Many a bishop or archdeacon, in the early days of Elizabeth's reign, possessed Calvinistic leanings, and was inclined to favour the growth of such tenets among the clergy. It was hard to extinguish the early idea that the majority of the learned clergy should choose the definitive form of government for the Church, and such men as Grindal and Parker had not been averse to appointing men who would help to give their own party the ascendancy, or at least prevent its complete defeat. Then, the preference at Court of political to ecclesiastical welfare, the desire to conciliate gentlemen who were powerful in their own district, the Puritan leanings of Burghley and Leicester, tended to prevent the bishop from refusing to induct a Puritan or from ejecting him when he himself did not approve of the man's sentiments. Yet an even greater shield for nonconformity existed in the slowness and difficulty of communication: news travelled at a snail's pace to the bishop's ears and his orders might halt altogether on the way back: the irregular reading of the service or an occasional failure to wear the surplice was not regarded, in administrative circles, as an infallible indication of Disciplinarian leanings; something more definite and unequivocal was necessary to induce the bishop to set the ecclesiastical law in motion. But, in such a case, the minister might, of course, take advantage of the dilatory process, possible in all sixteenth century courts, civil as well as ecclesiastical, to protract the trial for months, during which he naturally enjoyed practical immunity. It was thus difficult for the

bishop to learn of nonconformity, even more difficult to tell whether the man was a Puritan, and a still more perplexing problem to know how to punish the offender.

By the favour of the gentry, the Puritan ministers were introduced into the Church: by the favour of some bishops and the general weakness of the administrative fabric, they were maintained there. Yet it might be supposed that men, so conscientious as the Puritans, would have felt more scruples about accepting the salary of a benefice whose legal duties they did not perform and had not intended to execute when they took it, than they experienced about wearing the surplice and signing the form of subscription. If they accounted the Church "antichristian" and the bishops "hirelings," if they believed that the rites established by law were superstitious and popish, why were they willing to belong to the institution at all? Why were they so eager to continue members of it, that they petitioned the Queen and Parliament, the nobility and gentry, to prevent the bishops from excluding them from an institution in which, to the modern mind, they never belonged?

The sixteenth century mind, however, had not yet freed itself from the medieval belief that to attain salvation a man must, in some way, be connected with *the* Church: he might not actually require the assistance of its offices, but he must in some way belong to it. He could not conceive of the existence of two churches; he could not conceive of exercising the ministry outside any recognised ecclesiastical organisation; and he must therefore join the imperfect establishment and seek to bring it to perfection. From this deep seated belief arose the oft expressed horror of separating from the Church evinced by the Puritans and their determination to remain in it. Very few had the strength of mind to take that final step and separate. The divergence between his personal views and those of the bishop did not arouse his conscientious scruples. The old medieval attitude had been, that, so long as he conformed to the outward observances, his personal opinions were not in the least bound by the official views of the Church, but he was morally bound not to disseminate them to others, and upon this last consideration most of the medieval heresy trials had been based. The Puritan, therefore, seized upon one-half of the medieval idea and the Church was forced in self defence to emphasize the other. He declared that if he conformed in general, it made no difference to the Church what

he really thought: the bishops agreed but insisted that it made every possible difference whether or not he attempted to convert others to his own views, and thus spread the divergence into what might become a schism that would wreck the outward unity of the Church altogether. Both had precedent behind them, both were supported by a fragment of the truth, each strenuously averred that he had it all. This belief that a variation between his views and those of the Church was, after all, of consequence only to each individual himself, no doubt tended to increase the number of Puritans and to recruit their ranks from the learned and pious.

Yet, despite the strength of his convictions, the sixteenth century ministers was after all human and sought induction from the bishop because it provided him with a livelihood and an audience whose attendance was compulsory. The youthful student, whose ideas on doctrine and church government were hazy, and whose ambition for truth and piety was not abnormal, could not fail to be influenced in his espousal of the Puritan ideas by the fact that the Puritan parishes paid stipends double or treble any sum he could expect from ordinary parishes. In the minds of many of the two hundred men, of whose lives we know little or nothing, this fact must have had some weight. As has already been shown, the great majority of parish livings ranged between £5 and £15 gross income, and only men with an exceptional university record, coupled to unusual ability and experience, could hope to receive a larger benefice of £40 and upwards, or an income equivalent to that sum, derived from two or more benefices held in plurality. Beside this outlook, the prospects of a young man of the "godly" persuasion were bright indeed. Mr. Andrews, of the Dedham Classis, a man who had never seen a college, and who possessed very slight intellectual powers, if the rather caustic remarks of his colleagues may be credited,[1] received £25 at Wenham and was exceedingly discontented with it. He eventually removed to Yarmouth, where £50 was allotted to him. Several members of the same Classis had incomes of £30, and one was paid £70, most of which was contributed by his congregation.[2] The corporation of Lincoln in 1603 chose Mr. Dalby preacher at £30 per annum, increased it to £40 in 1604, and then rescinded his appointment "because he hath gotten a great living in the shire

[1] Usher's *Presbyterian Movement*, p. 43-46.

[2] Ushers's *Presbyterian Movement*, note to p. 43.

out of the city and dwelleth on it.''[1] Here was a Puritan pluralist! The corporation of Shrewsbury was ready to pay £46 13s. 4d.[2] but had difficulty in finding any one who was willing to accept it, for most of the men to whom it was offered, declared that sum ''too slender for these hard times.''[3] At Ipswich, the first preacher in 1577 received £50, and his assistant £33 6s. 8d. but Samuel Ward, the incumbent in 1607, was granted £73 6s. 8d.[4] Nor should it be forgotten that these salaries represent the income actually available for the minister's use, because they were not liable to taxation by the Crown, while the incomes of the regular clergy were reduced forty per cent. before the incumbent had anything to spend for himself. Seeing then that the average Puritan preacher or lecturer, often a man without university training, received from four to five times as much as the ordinary parish rector, can we wonder that the hope of securing such a living aided materially in transforming a man like Mr. Dalby from a good Churchman into a stout Puritan?

There was another cause that greatly contributed to the growth of Puritanism and which was responsible for much of the popular belief in those tenets. Nothing is more striking to the student, who attempts to come in contact with the actual parishioners of the sixteenth century through the Visitation Records, than their ignorance, their indifference to the niceties of religious creeds, and their credulity in believing whatever was told them. Yet, after a little reflection, it is hard to see how the condition of affairs could have been otherwise. At a liberal computation, probably not more than a third of the population of England in 1603 could read even their ''neck verse'' in pleading benefit of clergy, or sign their name in wavy characters on important occasions. To have attained so much was a great step in the spread of education, and yet there must have been ten who could sign their names, to one who could actually read English with tolerable fluency. But how far would even a good deal of grammar school education carry some farmer into the mazes of theological controversy? Books were hard to get: time to read them was even harder to find, for reading, to such men, could not be the task of a spare half hour; the parishes had pretty generally neglected to obtain copies of the Queen's Injunc-

[1] *Hist. MSS. Com. Report*, XIV, pt. viii, 79, 82. Corporation Records.

[2] *Shrewsbury Corporation Papers*, 37.

[3] *Ibid.* 61.

[4] Bacon's *Ipswich*, I, 314, 432.

tions, and of the Bible, and many had no prayer books. Grant that the parish possessed them and that the chief men of the village had laboriously spelled them out and puzzled their brains over the rubrics, even then how far were they in a position to contradict a fluent young man who arrived from Oxford or London with the approbation of the Church and of the great lord of the district? He proceeded to read the service, to preach, to outline to them the proper conceptions of theology and informed them that these statements were the truth and the inspired message of God. It is difficult to conceive that any of his parishioners should have been able to detect wherein he had infringed the ceremonial rules or overstepped the limits assigned by the Thirty-Nine Articles. And if perchance one of them was able how many of his fellows would believe him? A change had been made by the Queen, and the vicar was expounding it to them. Traditional liking for the old forms doubtless in many cases produced a strong reaction against the Puritan practices of appearing without a surplice, omitting to kneel, to face the altar and the like, but in the main, many congregations allowed the minister to proceed in his nonconformity because they were too ignorant to know whether or not he was breaking the law of the Church and too indifferent to care if he did. The difficulty of communication again became a factor by hindering the spread of ideas which might have enlightened them: but when the bishop or his commissary appeared and informed them what was required, they seem to have had no hesitation in most cases in presenting their minister for his sins of omission and commission. It was done, too, with a complete simplicity and naïveté which leaves little doubt of their state of mind.[1]

The people, in short, were accustomed to being led and guided,

[1] "I haue bene in a Parish of foure hundred communicants, and maruailing that my preaching was so little regarded, I tooke upon me to conferre with euerie man and woman, before they receaued the communion. And I asked them of Christ, what hee was in his person: what is office: howe sinne came into the world: what punishment for sinne: what becomes of our bodies being rotten in the graues: and lastly whether it were possible for a man to liue so unrightlie that by well doeinge he might winne heauen. In all the former questions, I skarse found tenne in the hundred to haue anie knowledge, but in the last question skarse one but did affirme that a man might be saued by his owne weldoing and that he trusted he did so liue, that by Gods grace hee shoulde obtaine euerlasting life by seruing of God and good prayers, etc." Iosias Nichols, *The Plea of the Innocent*, 212. (1602) This is the testimony of one of the broader minded and better educated of the Puritans.

not to deciding questions for themselves. They looked to their lord and expected to be informed of the proper course. Just as the quasi-feudal influence of the nobility and gentry with their friends and tenants was able to fill the secret chapel to hear mass said by some Jesuit or Seminarist, so it was able to fill the benches and stools for the Puritan preachers. The favour shown them by the gentry, the presence of the latter at church, and their open refusal to kneel,[1] set an example which soon was copied by the farmers and peasants of the country-side. In the towns, the mayor and aldermen and rich merchants played the same part, and after them speedily came trooping the journeymen and apprentices. Every year that the Puritan practices and doctrine could be maintained added a link to that chain of habit and traditional reverence which would bind those people to it for good and all, and would one day create in them a love for it.

Elizabeth and Whitgift, James and Bancroft, perfectly understood this chain of causation, and the part in it which the gentry played. "Surely mine opinion is," said Bancroft at Paul's Cross in 1588-9, "that if there were not some (whether bishops or men of as great or greater authority) that do in some sort favor these Spirits (the Puritans) they would never have grown either in number so many, or in their Dealings to have been so violent. That which Master Calvin writeth may very fitly be applied to this purpose: (Epist. 17) none would ever have opened their mouths in this sort, except the base and raskally sort of men had seen that thereby they should gratifie Men in authoritie and were to be rewarded."[2] "I would plainly proue this," wrote Cranbourne to Lake, "that neither the Papists number equall their report nor the Puritans would euer fill up a long register, if the ministers and recusants were not backed, flattered and encouraged by Gentlemen in Countries, that make a good reason for it, if priuate end may justifie such formes, as keep oyle still in yt lampe."[3] "I am fullie perswaded," wrote the Bishop of Lincoln, "ye most parte of them (the ministers) wold not stand so obstinatelie in those tearmes, were they not countenanced and incouraged by theire favourers,

[1] Norton Iuxta Dauentrie. (Peterborough, 1605.) Richard Knightley "for receyving the communion not kneelinge." (Presented by the parishioners.)

[2] Hickes, *Bibliotheca*, p. 302.

[3] S. P. Dom. Jac. I, XII, no. 28, January 24, 1604-5.

and were they not unwillinge to be brought into any disgrace with theire people."[1]

Statesmen and bishops knew very well that the vast majority of the people were not enthusiastic adherents of any church; that they possessed no intellectual equipment sufficient to enable them to choose between the various ideas discussed before them; and that the very inertia consequent upon their indifference and ignorance would ensure their support to any form of service which the local authorities should favour. The people, on the whole, followed the religious ideas of their natural leaders, the local gentry, noblemen, or burgesses, who were their landlords or employers. In this sense, then, the Puritans did possess through the adherence of the gentry, the support of a large body of laymen, in the latters' friends, tenants, and retainers. In the sense that the displeasure of the gentry could be communicated to the laity, the rejection of a petition of the ministers and gentry would offend great numbers of laymen. It thus becomes clear why Bancroft thought the Classis movement a menace to the Church; why ministers who refused stubbornly to conform, ought to be deprived, why books were called seditious and dangerous; why the Government was afraid to allow any active and energetic man to take any path except the one laid out for him. No one could tell how soon he would have a following of a thousand men who believed in him for want of skill to see wherein lay his errors.

The possibilities of religious enthusiasm appear very well in the case of Coppinger and Arthington. These two, in the year 1590, came to one Hackett who resided in London, and offered to anoint him King by commission from God Himself. Hackett, however, somewhat to their surprise informed them that he was already anointed, and ordered them to hurry forth and proclaim to the London crowds that Christ had come to judge the earth, and that, if they did not believe it, to come to Walker's house by Broken Wharf. So the two went forth and began to "proclaime newes from Heauen of exceeding great mercie: . . . That Christ Jesus was come . . . adding these words, "Repent, England, Repent." "After they had both thus come (with a mighty concourse of the common multitude) with an uniform cry unto Cheape nere unto

[1] Bishop of Lincoln to Cecil, Hatfield MSS. 110, f. 74. April 12, 1605. Holograph.

The Distribution of Churchmen, 1603.

The shading represents the relative density of population. The figures show approximately what proportion of the people were actually supporting the Church with firmness in 1603. (*From a sketch by the Author.*)

the Crosse, and there finding the throng . . . (very great) . . . they gotte them up into an emptie Cart which stood there, wherein they stood not onely upon the wordes of their former cry, but they, reading something out of a paper, went more particularly over the office of Hackett, how he represented Christ by partaking a part of his glorified body by his principall spirit, and by the office of seuering the good from the bad with his fan in his hand, and of establishing the Gospell in Europe, etc., telling also the people where they saw him and where he lay and remained: that they were two Prophets, one of mercy, the other of Judgement sent and extraordinarily called by God to assist him in this great worke and were witnesses of these things . . . (and) pronounced Mercie, great comfort and unspeakable ioyes to all that should repent presentlie, be obedient and embrace this acceptable message and opportunity offered: and the other denounced terrible iudgement if they repented not, which should euen presently (also) fall upon them and especially uppon the City of London; affirming that all that beleeved them not, were condemned body and soule with other matter against her Majesty and some of her Majesties honourable Privie Councell. . . . This strange accident being quickly blown through the City, *all was in a Buzze and a kind of astonishment what to think of the matter.*'' At this juncture the emissaries of the Queen appeared, and arrested the two ''prophets,'' who, within ten days were dragged on a hurdle to Tyburn and duly hanged.[1] Their execution, unaccompanied by supernatural demonstrations, satisfied the crowd that, after all, they had no divine commission, and London was once more quiet.

The Puritans, then, were not a great ''party'' with the best third of the English clergy and nearly a third of the laity enlisted in its support, and asking only for the change of some few ceremonies. So far as there was any party, it was mainly composed in 1603 of about three hundred and fifty men, supported by the gentry and town corporations of their districts in the face of more or less apathetic congregations, having the adherence of perhaps fifty thousand able-bodied men, pretty well distributed over the eastern counties, the Midlands, and the South.[2] Their object was the securing of changes of ritual and ceremony as a preliminary and neces-

[1] Stowe, *Annals*, London, 1631, 761. 761. 1591.

[2] The strength of the laity seems to have been chiefly in the weaving districts.

sary step to the transformation of the church into presbyterianism, according to the Book of Discipline. There is overwhelming evidence of the ignorance, the apathy, and the indifference of the greater part of the people to religious aspiration of any description; there are some scattered reports of individual opposition and dislike of the Church; but, on the whole, the Visitation Records show plainly that the laity were not unfavourably disposed toward the Establishment, and that when they differed from it, they were far more likely to espouse Catholicism than Puritanism. The growth of England's trade and commerce, and the consequent prosperity (despite distress in places), the great wave of patriotism rising from the defeat of the Spanish Armada, the widespread reverence and love for Elizabeth, the love of things English because they were English,—all contributed to turn this popular indifference into a real pride and love for the Established Church as an institution thoroughly and peculiarly their own.

Of this change in sentiment, Bancroft was fully aware, and, indeed, so far as any one man had been responsible for it, had himself been its cause. He knew only too well that the "constitution" of the Church was fragmentary, inadequate, and of dubious legality: that the clergy was poverty-stricken to the last degree, and that, therefore, where they were not ignorant, were pluralists and nonresident: that nonconformity was rife, due chiefly to the presence in the Church of ignorant and careless clergymen, and to a less extent, to the existence of a body of men who refused to obey from conscientious scruples. The latter he was convinced were inconsiderable in number, and received support chiefly from a minority of the gentry. The great majority of the clergy and the overwhelming majority of the laity he was certain were favourably disposed to the Church and would espouse its cause permanently if only its obvious evils could be so reformed that they could respect it. Upon these premises, Bancroft built his reconstruction of the Church during the years 1604-1605.

BOOK SECOND

RECONSTRUCTION

CHAPTER I

MILLENARY PETITION AND RYE PLOT

The accession of James I "drew towards it the eyes of all men," wrote Francis Bacon, "being one of the most memorable accidents that had happened a long time in the Christian world." "It rejoiced all men to see so fair a morning of a kingdom and to be thoroughly secured of former apprehensions."[1] It was an event of the very first importance in the history of the national Church, for the political situation, for the first time in half a century, was such that the State could safely allow a reorganisation of the Church. At Elizabeth's accession, the fate of England rested upon the solution of three problems, and, at that time, no one could see how their favourable solution was to be brought about. The troubles seen during the last century over a disputed succession, whose memory was revived by Elizabeth's refusal to marry, made the succession to the throne the most alarming of the three: but the death of Mary Stuart and the accession of her son had unexpectedly settled this greatest difficulty of all in a most satisfactory manner. Moreover, the second issue—the maintenance of Protestantism seemed also secure. It was no longer true that the decision of some minor matter of ecclesiastical administration might precipitate the ruin of Church and State. The succession was safe: Protestantism was safe: and the problems of the Church could be entrusted to the decision of ecclesiastics, with a view to promoting the welfare of the Church itself, without planning to subserve at the same time diplomatic ends. Indeed, those ends were for the moment accomplished. The union of the Crowns in James I which, as he fondly anticipated, presaged the union of the two nations, removed all danger to the English Crown from Scotland, whose attitude had so long given Elizabeth and her advisers cause for anxiety as the third problem of note. Then the ill-success, constant and crushing,

[1] Francis Bacon, History of Great Britain. Spedding, *Works*, XI, 405, 408, respectively.

which had attended their expeditions for forty years, had made its impression upon European statesmen. Philip II, England's arch-enemy, was dead; France was ruled by a King of strong Huguenot sympathies; the United Provinces seemed certain to make good their independence, and, by keeping the land on the other side of the Channel out of the hands of either France or Spain, would achieve the great aim which English statesmen had cherished for centuries. Hitherto, ecclesiastical difficulties had always been less immediately important than the temporal: now they had become more important.

The old problems of Puritan and Catholic had concerned their relation to the State; the difficulty now brought to the forefront was their relation to the Church. The political shackles, which had so long bound the bishops hand and foot, had been removed by political events happening outside England, and religious questions once more became religious and national. For the first time since the Reformation, the administration of the Church was really entrusted to the clergy and was conducted with a view to the welfare of the Church itself as an institution. If the year 1603 possessed no other significance in English history, this fact alone would brand it indelibly as the beginning of a new era.

The freeing of ecclesiastical questions from their aspect as political issues, also rid the Church of its greatest incubus. The Elizabethan policy, it will be remembered, had made the standard of clerical sufficiency, on the whole, one of political loyalty, being satisfied with the profession of belief in a certain few fundamentals and with the practice of occasional conformity to the prescribed rites. The clergy had been not so much the administrators of an institution as a body of police for the enforcing of certain tests of political loyalty, and from this policy had sprung, naturally enough, the corollary that faithful men who would give political offence to no one were needed in the Church, rather than men of learning and undoubted ecclesiastical qualities. Now, by the turn of the tide, this definition of clerical sufficiency, against which the bishops had protested and struggled for so many years, had no longer a reason for existence and might be abolished. A man could now be ejected from his living because of ecclesiastical unfitness as well as because of his foul life or seditious conduct, and the peaceable Nonconformists were to find their haven of safety rudely

invaded. Once more, the bishops would be able to define, practically as well as theoretically, the qualifications for the ministry, for the episcopal discretion had been in large measure returned to its original possessors.

The self-same events which had, at last, given the bishops some real control in the administration of the Church also radically altered the problem to which they addressed themselves. By 1604, the overwhelming majority of the English people, laity and clergy alike, had accepted the Elizabethan settlement as final. Since the death of Mary Stuart and the defeat of the Armada, the Catholics had, in large measure, renounced their plans for restoring the faith by means of a Spanish army, and had accepted their anomalous position for better or for worse. Nevertheless, they pleaded fervently for the repeal of the penal laws and for permission to hold ordinary masses and Catholic services without fear of pursuivants and the scaffold. While Bancroft's campaign against the Classis movement had also robbed most of the Puritans of their desires for a separate organisation within the Church, they still clamored for "reform" and still hoped to substitute the Discipline for Episcopacy.

A more potent influence still had joined the march of political events in securing this allegiance of the great majority of the people to the Church. A new generation had risen: born since Elizabeth's accession, baptised, confirmed, and married by the rites of the new service, knowing no other form of legal worship than the Book of Common Prayer. The Church, which the fathers had tolerated from political necessity, the sons supported because they approved of it as a religious institution and found comfort in its ministrations: the same force of tradition and habit which had prejudiced their sires against the Church biassed them in its favour, while round it came to circle that halo of splendor with which the awakened nationality and solidarity of the English people was beginning to invest Elizabeth's reign. To the Englishman of 1603, Catholicism reeked of the Spanish Inquisition: Calvinism was made in the image of Amsterdam, Geneva, or Charenton: Anglicanism alone was English, purely English, and the pent-up force of national pride, loosened by the victory of the Armada, began to contemplate its own church with satisfaction and even with complaisance. All this reacted upon the Church and vastly altered

the administrative problem. A hostile and obstinate laity had no longer to be driven to service like cattle at the sound of the whip: the men who offered themselves for the ministry were more learned and had already accepted the Elizabethan settlement from choice: the patron was less able to present to the bishop an undesirable candidate, less able on the score of political expediency to secure his induction, and was also less likely to give a nonconformist support. While the need of coercing an obstinate and ignorant clergy into obedience was still paramount, it was each year growing less. In 1603, the great issue had become the lack of maintenance, not the necessity for coercive force.

If, therefore, Bancroft had died in obscurity, the first ten years of the reign of James I must have formed an epoch in English Church history. Bancroft created nothing: he originated little: he innovated not at all. Realising the unusual opportunity, seeing the real condition of the Church, grasping intuitively its needs and the remedies which were possible of consummation, he encouraged, aided, and directed the forces which had been struggling in the Church for half a century towards the solution of the great problem bequeathed by the Reformation.

There was another element in the situation and one of singular importance: the personality of the new king. Accustomed as we are to-day to seeing the personal wishes of the sovereign neglected, while the policy of the Government depends wholly upon the will of the Ministry and of the House of Commons, it is difficult for us to conceive adequately the place which the King filled in England in the year 1603. James was to be a King in more than name, for his personal beliefs would have a powerful influence in the solution of many difficult and complex problems. He might decide them himself; he might allow the bishops to act for him; or he might entrust them either to the Puritans or to the Catholics. Moreover, we have only to read the contemporary accounts for the months of April and May, 1603, to be convinced that every one anticipated that, whatever he decided would be final. So widespread had been this belief, that various political groups, and at least three religious bodies, had been paying secret court to him from the moment when his accession seemed probable. Cecil and Bancroft had corresponded with him. Then the Puritans, conscious that Presbyterianism was thoroughly established in Scotland, but ignorant of

the violent clashes between the King and the ministers, believed that he must be a Puritan in disguise and looked forward ardently to his coming, as the event which should restore the pristine form of Christianity and the rule of the godly on earth.[1] In their turn, the Catholics had heard of James's secret negotiations with the Pope and of his interviews with Jesuits and priests, of his desire to uphold Huntly and the great Catholic Earls of Scotland against the presbyteries; and, straightway conjuring their desires into realities, saw him as the Defender of the Faith, the legitimate son of Mary Stuart. James had fully apprehended the situation, had received all overtures graciously, had made vague and grandiloquent statements to all parties, which apparently contained all they could desire, but had quietly kept his actual ideas and intentions to himself. The result was precisely what he desired—every one enthusiastically awaited his accession.

Probably, with the possible exception of Henry VIII, James was the most learned king England has had. Casaubon, accounted in 1612 the most learned man in Europe, wrote home to France,[2] that he found James a greater and a more learned man than reports had painted him, and thought him still greater every time he saw him, praise which may be accepted from a man of such attainments who scorned flattery. With theological questions James had long been occupied and had often pitted his wits against those of the ablest men in the Scottish Church. Angered at first by their tirades and long arguments, he grew finally to be extremely fond of a debate and developed an astonishing dialectical skill of which he was very proud. His liking for debate had very important consequences, for nearly every problem of Church and State was discussed before him at some time during the first seven years of his reign. His greatest characteristic was fair-mindedness. He wished to mete out justice to every one and thought no pains too considerable for attaining the truth. When he came to England he brought with him three ideas which he never changed: he would permit no innovations, would protect no abuses, and would probe all complaints till he was himself convinced that the truth had been laid bare. Any changes must be based upon incontrovertible proof.

Among the people who flocked to witness the new King's progress

[1] In Harleian MSS. 787, f. 1, b., is a letter from James to Mr. Hambleton, written probably in 1601, promising to maintain the "Gospel" in England.

[2] *Epistolæ*, (Ed. 1709) p. 692.

to London were the bearers of a petition, which purported to come from "more than a thousand of your Majesty's subjects and ministers," and which had been apparently suggested to these suffering men by their confidence in James's "Christian Judgment."[1] They humbly begged "their dread sovereign" to relieve them of the "burdens" under which they "groaned": they desired the omission of the cross in baptism, of bowing at the name of Jesus, and of the ring in marriage; they found the service "longsome," and thought too much of it was consumed with music. To the wearing of the cap and surplice, to the reading of the Apocrypha, they also objected, adding that they wished some uniformity of doctrine could be prescribed and no more "popish opinion" taught. Let none be hereafter admitted into the ministry but able and learned men who should hold one benefice, reside on their cures, and preach every Sunday; and, as for the nonresident and men unable to preach, let them be thrust out. Deprive the bishops of their commendams, put an end to pluralities, and transfer the whole of the impropriations annexed to the bishoprics and colleges, and a sixth or seventh of those in the hands of laymen, to the support of the preaching ministers. The discipline of the Church paid too much attention to trivialities and "twelve penny matters:" there should be less excommunication for trifles and for contempt, a more sparing employment of the oath *ex officio*, and an abridgment of the length of suits and of the size of fees in the ecclesiastical courts. In conclusion, they offered to prove their charges and requested a conference of learned men to decide on a remedy for these difficulties.

[1] There are copies of this petition in Additional MSS. 8978, f. 107, dated "April, 1603, I° Jac.;" Additional MSS. 28571, f. 175, dated "September"; and in Stowe MSS. 180, f. 7. Probably the first printed copy, except for some untraced broadsheet, was in the *Answer of the Vice-Chancellor . . . of Oxford*" printed in July, 1603, where it is said (p. 3) that the petition was exhibited "ye April before." A satire was soon floating around: "The humble petition of the unpreachable ministers of England." Ballad Society, *Ballads from MSS.* I, 267. (London, 1868-1873.) The statement often made that it was signed by a thousand (or by 746 ministers) is, as Dr. Gardiner has pointed out, erroneous, for it seems quite certain that it was never signed at all. "Neither before were any hands required to it, but only consent." (Additional MSS. 8978, f. 13.) There seems to be good reason to believe that the 746 names given by the Lincolnshire ministers in their defence two years later, and which has been the source of the statement that 746 signed the Millenary Petition, refers to the signatures made to petitions produced in the active campaign of May, June, and July, 1603, after the Millenary Petition had been, as they thought, favourably received.

The Puritan leaders had seized the psychological moment for the most diplomatic and best planned move they ever made. For some months, the petition had been under consideration and was the product of a great deal of thought and a vast amount of discussion. It was studiously humble in its language, moderate in its demands, and, indeed, expressly disclaimed all factious desires for "popular parity" or a change of church government. To prevent a knowledge of the past history of its framers from damaging its intrinsic mildness, it had not been signed, while to make doubly sure of avoiding legal prosecution, no signatures were requested, and only consent had been asked for. No specific number of supporters was ever named: there were "*more* than a thousand," a figure whose roundness and vagueness was particularly telling. Indeed, so temperate was the petition, that two significant phrases inserted by the radical wing of the party, escaped much notice. They asked that "discipline and excommunication may be administered according to Christ's own institution," and that no man should "be excommunicated without the consent of his pastor." (clause iv.) To any one familiar with the Disciplinarian terminology and habits of thought, these seemingly innocuous requests could import but one thing—the introduction of the Book of Discipline, which was the only form they recognised as of "Christ's own institution." But to James, ignorant of all this, the tone of covert adoration and trust which permeated the phrases, was sweet. He had been so abused and railed at by the Scotch clergy that he was fairly starved for want of a little praise. Above all, it appealed to the good intentions he was so fond of expressing. Had he been a less ardent reformer, less impartial, less eager to act always in accordance with the equity and justice of the matter as investigation showed it to be, his reign would have been more peaceful and happy: for the English constitution was as peculiar logically as it was successful in operation, being built not upon abstract theories of any sort, but upon experience.

The Millenary Petition was the first Puritan document to make any mention of the real state of the Church, to recognise that all the benefices of the realm were not capable of supporting a preacher, though the sweeping demand for the abolition of nonresidence and pluralities showed scant intention to face the logical results of the meagreness of ecclesiastical incomes. Why it was that during the

twenty-five years, 1578 to 1603, the Puritans had obstinately shut their eyes to the poverty of the clergy, and why they had continued, even while recognising it, to protest in the same breath against pluralities and nonresidence which were its legitimate results,[1] will always be a mystery.

But the document was incomparably shrewder than its moderation would at first allow us to see, for it contained, with the exception of a few ceremonial matters and of one or two phrases easily overlooked, nothing that the bishops themselves were not eager to accomplish. It was a most effective move—this combination of the most moderate Puritan plans with the reform platform of the bishops. They had forestalled Bancroft and Whitgift by presenting the petition to James before he could have learned of the episcopal plans; they had forced the bishops to give their complaints serious attention, and had so manœuvered that, when the official scheme appeared, it would seem to be a result of their petition, a concession forced from the bishops instead of a programme of reform which Whitgift and Bancroft had long had in mind. For the nonce, the bishops were placed completely in the wrong, and were blamed for the support of the very evils they had striven so assiduously to obviate.

Delighted with their reception, the Puritans went forth in haste to secure signatures to more petitions. Surely the day of deliverance was near at hand, they thought, when the sword of the Lord should cut off the unregenerate. There was very little left of the old organisation which Bancroft had broken up in 1591. The party had split into three wings. The ultra radicals, the party of Greenwood and Browne, clung to the Discipline as a prerequisite of salvation and practiced it in the only manner they could, in view of the hostility of the Government and of the smallness of their numbers, by making each congregation autonomous. In short, the congregationalism of Browne and of Robinson was nothing more than the Disciplinarian scheme with the synods and upper mem-

[1] Bacon wrote in his *Considerations on the Church*, 1603, (Spedding, *Life and Letters*, III, 124) "We must take heed that we desire not contraries: for to desire that every parish should be furnished with a sufficient preacher and to desire that pluralities be forthwith taken away is to desire things contrary, considering de facto there are not sufficient preachers for every parish: whereto add likewise, that there is not sufficient living and maintenance in many parishes to maintain a preacher, and it makes the impossibility yet much the greater."

bers of the hierarchy lopped off, leaving supreme the single congregation and the informal classis or conference of ministers. These the rest of the party utterly renounced, and the detestation grew to be mutual. Of the men left, the radicals, though cowed by their defeat, still thought the Discipline an immediate possibility and had been eager to renew the old tactics of petitions and meetings, and to ask frankly for what they wanted as a right. Wilcox and Egerton of London, Snape of Northamptonshire, and Knewstubbs of Suffolk, were the leaders of this branch, and found among their following the majority of the party, mostly, however, men of small attainments and less prudence. The moderates, on the other hand, were, in the main, those who had come under the influence at the universities of Raignolds at Oxford and of Chaderton at Cambridge. With more to lose if the movement failed, and without the fanatical enthusiasm that comes from unreason and the lack of an imagination to foresee the possible consequences, they had advocated a very quiet demeanor till Elizabeth's death might open the way for a very moderate petition to her successor:[1] Better to be satisfied with a little than to lose our benefices and to spend some months in jail, was the substance of their advice. This view prevailed. On the whole, the form of the Millenary Petition had been due to the moderates, although the radical leaders headed by Stephen Egerton and Arthur Hildersham had secured the consent of the majority to it.[2]

There was now very little in fact that could be called a Puritan organisation, but the leaders had always by correspondence kept in communication with one another, and had personally retained their influence with the men of their districts. The old system was in abeyance, not destroyed. Therefore, when Elizabeth's death was seen to be near at hand, the leaders assembled once more and concerted measures together. With some gaps in the ranks, they were the same band of men whom Bancroft had faced in 1590. He knew it very well, and what was more, they were fully conscious that he

[1] "Nowe of late yeares the heate of men towards the Discipline is greatly decayed: their iudgments begin to sway on the other side: the learned haue weighed it and found it light: wise men conceiue some fear lest it proue not only not the best kinde of government but the verie bane and destruction of all government." George Cranmer, *Concerning the New Church Discipline*, (1598) p. 2 and also 24. Printed with modernised spelling in C. Wordsworth, *Ecclesiastical Biography*, IV, 294. (London, 1810.)

[2] Fuller, *Church History*, Bk. X, Chap. 1, p. 7.

knew it, and took particular care to have all manifestoes either anonymous or signed by men of less notoriety than themselves. But the success which attended the Millenary Petition was the signal for a shifting in the balance of power within the party. Elated beyond measure, the radicals swept all before them.

The Millenary Petition had been delivered early in May, and, toward the middle of the month, the leaders issued from their secret headquarters a manifesto of *Advice tending to Reformation,*[1] which was to direct and unify the movements of the party toward their common aim. They claimed to be acting upon the advice of "some of creditt and neere to his Majesty." These men were undoubtedly[2] a Scotch minister, named Galloway, a man of much repute and high in the King's favour, and a Northamptonshire gentleman, Lewis Pickering, who had been one of the first two or three Englishmen to congratulate James at Edinburgh; both of whom seemed to have attached themselves to the royal suite with the definite intention of keeping their co-religionists well informed of the royal state of mind. The manifesto declared that in the opinion of these men, who were in his Majesty's confidence, the proper course to pursue was that all should "complaine of corruptions and desire reformation in severall petitions signed with as many hands of everie sorte as may be procured and the same presented to his Majesty in name of the rest. There must be sundrie petitions of ministers of sundrie partes, and yet but fewe in a petition to avoyde the suspition of conspiracie, and the petitions to varie in woords, but agree in the desire of reformacon to be according to the woord,[3] and all reformed churches about us:— provided they do not expresslie desire the removing of bishops. And in complayning of speciall grievances as the oathe ex officio, subscription, ceremonies, especiallie of laymen as Chauncellors and Commissaries, their medling with the Churche censures, as well against ministers as others, that they excommunicate for small causes, as to gett money, etc." In short, every care was to be taken to create a belief in the King's mind that all these petitions were the unpremeditated and spontaneous result of the generality of the

[1] Additional MSS. 28471, f. 199; internal evidence fixes the date as between May 12 and June 1.

[2] Hatfield MSS. 101, f. 160, S. P. Dom. Jac. I, II, 39. The phrase quoted was industriously spread, for it crops out in every petition and document we have from the local agitations. (See S. P. Dom. Jac. I, III, no. 83.)

[3] This was the phrase by which the "Discipline" was usually referred to.

abuses and the discontent over them, drawn up by large bodies of men without previous consultation with one another or knowledge of the other's action.

In addition, the ministers were to collect lists of the enormities and grievous sins committed by the members of the hierarchy, especially of their favours to Papists, (doubtless with an eye here to Bancroft's dealings with the Seculars) : they were to "stirre up the people to a desire or a liking of reformation,"[1] by preaching and praying "against the superstitious ceremonies and tirannie of Prelates, provyded that it be performed in iudgment and discretion." Next, that the cause of the Discipline should not lack champions ready to enter the lists in its defence, some ministers were to prepare themselves to maintain propositions setting out "the corruptions that be in the present Hierarchy and Liturgie," and the lawyers, with a view to the coming parliament, were to pen statutes for abolishing the abuses and for establishing the true gospel, while others wrote "some learned treatises against that tyme." "Lastlie, whereas the Archbishop saith that of eight thousand benefices there are but five hundred competent and therefore learned men must either lacke competent living or else haue more benefices than one," wherefore to "discover the skirt of the highe Preist" let a diligent and faithful inquiry establish how many ignorant, double beneficed, and nonresident ministers there were, so that there might be evidence to compare with the figures which the bishops were compiling for the royal eye.

Through the roads and byepaths of the secret system of correspondence, went the manifesto and soon the whole organisation of the Puritans—if so loose and ill-defined a bond can be designated by that name—was busily at work, drawing up the petitions.[2]

[1] This direction could hardly have been necessary unless the people were hostile or apathetic.

[2] The form for a petition by the clergy of Northamptonshire dated "1603, I Reg. R. Jacobi, 16 Maij." and one for Oxfordshire are in Sloane MSS. 271, f. 20. This volume is one of the most valuable we possess for this part of the narrative. It is a letter book kept by Robert Smart, one of the radicals, who took part in most of the meetings in which these papers were drawn up and must have had ample opportunity to find out the truth and to copy documents. One of the directions of the Conference of ministers in London to the brethren was to keep a careful record of the papers and evidence they received or sent. This seems to have been Smart's record. If the dates he assigns various papers are correct, then these forms drawn up in Northamptonshire and Oxfordshire in May were adopted by the general conference in London in July, as the form to be followed by the Puritans as a whole.

securing signatures, and collecting evidence of episcopal shortcomings, and, as the Vice Chancellor and Heads of the University of Oxford declared, "to bolster out their stale obiections and false calumniations, have trudged up and downe diverse Shiers to get the consent, they care not of whom, so they may make up a tale and pretend a number." The radical leaders, Stephen Egerton, Arthur Hildersham, and particularly Henry Jacobs, now thrust themselves conspicuously into the foreground and began to send out letters to the leaders of the various Puritan districts, informing them that many learned and godly ministers were about to petition the King "for the Reformation of things amisse in our Church." Desirous of securing as many adherents as possible, confident in the willingness of the person addressed to join in "this Christian duty," Jacobs begged him to obtain as many signatures as he could to the enclosed form and return it to them. "It is not intended that your names shalbe rashly shewed, to any man's preiudice, but be reserved to a fit opportunity."[1] He forwarded a suggested form of a petition from which peeped forth the very ear-marks of the presbytery which the moderates had striven so hard to conceal in the Millenary Petition. Where the latter document had asked only that discipline "be administered according to Christ's own institution," Jacobs now threw off all attempt at concealment. "We whose names are underwritten, doe agree to make our humble Petition to the King's Majesty that the present state of the Church may be farther reformed in all things needful according to the rule of God's Holy Word, and agreeable to the example of other reformed Churches which have restored both the Doctrine and Discipline, as it was delivered by our Saviour, Christ and His Holy Apostles." After a great deal of discussion, Jacobs and Egerton secured the adoption of this form by the general conference of ministers which met in London, July 14.[1] The moderates, however, secured as a concession, permission to omit the clauses ask-

[1] This letter of Jacobs's dated June 30, London, is printed in the preface of the *Answer of the Vice-Chancellor . . . of the University of Oxford* to the Millenary Petition. Others from Egerton are given in Smart's letter book, Sloane MSS. 271. It was considered safer to send out the orders from the central conference as advice from individuals than to have any number of men sign one document. If the latter should be intercepted it would, of course, reveal the existence of a concerted attempt to influence the King. The leaders were particularly anxious to conceal all traces of concerted action.

[2] Sloane MSS. 271, f. 20. The form is printed by Fuller, *Church History,* Book X, Chap. 1, p. 24.

ing that the Church be reformed "as agreeable to the example of other reformed churches, which have restored both the Doctrine and the Discipline as it was delivered by our Saviour, Christ, and his holy Apostles," which was, in truth, the part which indubitably indicated a desire to introduce the presbytery. For it, those who preferred, might substitute an enumeration of the specific things which they wished reformed. The form preferred by Jacobs and Egerton was that most approved in Northampton and Essex: the amended form was almost verbatim that used in and around Oxford. The directions of the brethren forwarding to the Puritan clergy these forms, repeated the suggestions of the "Advice tending to Reformation," that as many petitions as possible should be drawn, but that only a few names should be signed to each one. They counselled the clergy so to preach as "to lett the people see whatsoever is to be taken to hart and iustly causinge discontentment," and "to prepare them to be forwarde and earnest in seekinge and cravinge redresse."

There was thus to be a great petition signed by all the ministers,[1] petitions by small groups of ministers, by the gentry of every shire, by the people of every county, and by such towns as could be persuaded to act. Each should speak in the name of the whole unit it was supposed to represent, even though it was signed by only half a dozen men.

In pursuance of these directions, the Northamptonshire Classis, Barbone, Wight, Chalenor, Thornill, Woode, Broome, Bradley, Becke, Bincke, Smart, West, Sanderson, Dale, Randleson, London and Spicer, met a week later and took action. Justice Yelverton was to be solicited to draw up a petition which "he and the Justices and gentlemen" of the county would sign and present. Some months later, Cartwright was delegated to write to him and did so.[2] A new survey of the ministry was to be taken according to the heads agreed upon in London: Barbone and Bincke were to draw up a catalogue of deaneries and assign to various ministers the task of securing the information in regard to them: each should then bring his material to Catlyn, Stone, and Barbone, who would put it together, "if it may be by this day three weeks." The conference further voted to send two ministers to attend Parliament,

[1] This is the one to which the statement of 746 signatures very likely relates. See the *Abridgement* of the Lincolnshire ministers, 1605.

[2] Sloane MSS. 271, f. 21 b.

and also agreed to pay their expenses and supply their pulpits during their absence. The ministers should also petition the shire members in Parliament, and the bishops assembled in Convocation. It was thought advisable that a petition such as that drawn up by Dudley Fenner should be presented at the door of the Convocation House. Catlyn, Stone, and Barbone were to draw the petitions "with the advise of the brethren" and to keep copies and a register of all that they did; those who knew any bishop or dean should importune him by letter in the cause of the reformation.[1]

While the Puritans were joyfully preparing for what they believed to be the successful campaign of a most holy war, the bishops and colleges, alarmed beyond measure, were girding themselves to meet their onslaught. When the news of James's favourable receipt of the Millenary Petition arrived at Lambeth, Whitgift and Bancroft saw that the matter was serious. Thomas Neville, Dean of Canterbury and Master of Trinity College, Cambridge, had been despatched to Scotland by the anxious prelates early in April (for Bancroft was not by any means sure that James would fulfil all his former protestations made in secret letters) and had brought back the welcome news that James would maintain the Established Church.[2] But now, with Galloway at his elbow and with the Puritan petitions pouring in upon him, Bancroft was afraid that, after all, James would favour the Book of Discipline.[3] He was no doubt already well aware of the true history of the Millenary Petition, saw the sentence in it relating to the Discipline, knew who drew it, when and where, and what was more,—why. But both he and the Archbishop saw that James would not believe his explanation of it without proof, because the King did not comprehend the real situation. To obtain this necessary evidence, Whitgift sent out letters to all the bishops on May 12, directing them to collect statistics of the preachers in their dioceses, with their degree, if they had any, and the number of benefices they held. On June 30, he issued a further circular[4] calling for complete statistics regarding communicants, recusants, pluralities, nonresidence and impropriations.[5]

[1] Smart's account is in Sloane MSS. 271, f. 21 a. He was present.

[2] Fuller, *Church History*, Bk. X, Chap. 1, p. 5.

[3] Strype, *Life of Whitgift*, III, 469.

[4] Both are printed in Wilkins, *Concilia*, IV, 368.

[5] The lists of Bedfordshire clergy used in a previous chapter from the Bedfordshire *Notes and Queries* seem to be one of these. The original returns for the dioceses of Norwich,

During the months of May, June, and July then, both parties were diligently at work collecting evidence[1] with which to convince James of the justice of their respective causes.

Meanwhile, there issued from Cambridge a condemnation of the Millenary Petition, followed some weeks later by a volume in which the Oxford authorities refuted the Puritan position at great length, and with a keen appreciation of its real meaning. They published Jacobs's letter directing the signing of the petitions, and the form he enclosed, "which tell us plainly They wil never have an end, till either they have set up the Presbitery, Or else be out of Authority." They showed that the real issue was not that able men should be admitted into the ministry, for on that all men were agreed, but who should decide what was an "able" man? Who was to decide whether or not a certain man preached "to edification?" Surely, many of the Puritans "deserve for their grosse ignorance, to bee blotted out of the number of preachers, truly so called." Plurality and nonresidence were necessary evils and until each parish had a sufficient revenue to maintain a preacher, they could not be remedied. To insinuate that the bishops willingly closed their eyes to the light was a slander. "Were we perswaded that their Discipline, their Presbytery, the life and being of their Discipline, were indeede of Christ's institution; were we perswaded it were a part of God's word, an essentiall part of his word; could we be contented to be without it? Could we content ourselves to live anywhere but under it? Would we not redeeme it with much perill and paine? With certaine losse? And that willingly?"

The University argument then turned to the practical difficulties

Winchester, Llandaff, and Bangor are in Harleian MSS., 595. The condensed report compiled for all England is in Harleian MSS., 280.

[1] *A Viewe of the State of the Clargie within the Countie of Essex*, printed 1610:-*The Lamentable Estate of the Ministry in Staffordshire*, (original in Morrice MSS. M. No. 5.) an original in the form of a petition in Hatfield MSS. 103, f. 64, closely following the directions of the *Advice tending to Reformation;* and a list of unlawful marriages, printed in Strype, *Whitgift*, III, 378. These disagree radically with all other available information on the state of the clergy. One and all, they give the value of the livings at very large figures. That for Essex states that there were fifty-five, worth £100, and more; one hundred and fifty-five between £50, and £100. This would be incredible, even if we had no official records at all with which to compare it. These accounts represent either intentional falsification or astonishing ignorance of conditions; the categories of one hundred and six "scandalous" ministers and ninety-four "diligent and sufficient" may have been true, but are of no value because we have no knowledge of the basis of classification.

in the adoption of the plan proposed by the Millenary Petition. The request that no man should be excommunicated except with the consent of his pastor meant that the pastor might have a veto on any excommunication. "Thereby intending the utter overthrow of the present Church government, and in steede thereof the setting up of a Presbitery in every parish; or rather that which is worse (if worse may be) the innobling of every particular pastour to excommunicate by himself alone." As for requiring the ecclesiastical officials to act with the concurrence of certain grave ministers, it was impracticable. "Then behold what would ensue. On the Minister, a world of troubles; he must be sent for as oft as any of his parish is presented; he must attend the hearing and debating of the whole cause; he must bee present as oft as the Chancelour sitteth, as long as the matter dependeth; to his great travail and paine his excessive chardge, and the causelesse neglecte of his calling. On the other side, if the minister wilbe wilful and in fine dissent from the Chauncelor in opinion then is al the labour lost; the Iudge hath spent his skil and care in vaine, and the bishops consistory must downe to the ground; either Pastour must prevaile, or nothing must be done."

In August appeared *A True modest and iust defence of the Petition for Reformation . . . conteining an Answere to the Confutation published under the names of some of the Universitie of Oxford.*[1] It made light of the University position. "Nothing of any moment can be alledged in excuse of non-residence." (Page 129.) It scouted the argument that, until all livings were able to maintain preachers, it was impossible to have all ministers preachers. Want of maintenance would be a great hindrance, but "it is possible though with much difficultye to plant preachers euen where such defect is . . . and the next way to enlarge the ministers' maintenance were to place euery where worthy men whose painefull labours would prouoke men's Liberality." "At least let such Churches as haue sufficient maintenance first be sufficiently prouided of good men, And for the enlarging of the rest, the Prince and the State must be humbly sued to. And clergie men for so

[1] Additional MSS. 8978, f. 1. Two copies were at first made, one for the King and one for Cecil, each prefaced by a petition or dedication. That to James is at folios 5-15: that to Cecil, folios 17-19, asking him to have it printed at the Cambridge University Press. But a good many manuscript copies seem to have been floating about in the next few months.

much as lyeth in their power should shewe themselves ready by their example.'' The writer of the tract was prodigal with his quotations from Scripture and from the Fathers, but he said little or nothing and blithely declared that the ecclesiastical argument was not of the slightest value, without adducing any cogent reasons for his opinion.

The professors of learning had been aroused less by the falsity of the Puritan tenets than by their outspoken intention of confiscating the impropriations from which most of the colleges derived their support. Indeed, on July 10, appeared conclusive evidence of the influence which Galloway had with the King, in the shape of a royal letter to the respective Vice Chancellors,[1] informing them that the King had resolved to devote all the royal impropriations to the betterment of ecclesiastical livings and hoped that the Universities would follow so excellent an example. Whitgift, in great alarm, wrote at once to the King,[2] begging him to stay an order procured by ''Mr. Galloway and some others, altogether ignorant of this our State, untill opportunitie may serue mee to attend uppon you and to make knowen the Inconveniences that may ensue . . . for sure I am, that it wil bee in tyme the ouerthrowe of the Universities and of Learning.'' When James at last arrived in London, Whitgift, and particularly Bancroft, had long interviews with him, and very soon convinced him, by the bishops' returns and other statistics, that the question of reformation was not to be undertaken in so off-hand and jaunty a manner. Doubtless, Bancroft made him cognisant of the secret history of the Puritan and Catholic movements in England, supplying him with proofs and facts never revealed and which remain to this day in some respects quite unknown. Whatever it was they told him, certainly from that twenty-second of July, 1603, when James and his Queen spent the day with Bancroft at Fulham Palace,[3] there was no more talk

[1] Printed in various places, the best is in Wilkins' *Concilia, IV*, 369, dated July 10. A draft is in S. P. Dom. Jac. I, II. no. 38, dated by the editor July 8.

[2] Before James's letter was sent, if the dates are right, for Whitgift's letter in S. P. Dom. Jac. I, II, no. 39, is dated July 9. A paper of reasons was enclosed by the Archbishop. He said that impropriations were at present properly being used ''to provide for the generall necessities of the whole church. . . . ''

[3] Nichol's *Progresses of James I*, I, 205. Mullinger, in his *History of Cambridge University*. II, 459, says: ''from that day in July, 1603, when he and his consort accepted Bancroft's hospitality at Fulham, a change came over the royal mood, and that policy was entered upon the im-

of giving away the impropriations and no longer a gracious reception awaiting the bearer of Puritan petitions. James was not yet convinced that there were not abuses in the Church which needed reformation, but he saw very clearly that the situation was by no means as simple, nor the remedy as easily to be effected as the Puritans had led him to think. He set the minds of the ecclesiastics at rest by holding a state session of the Privy Council, where, in the presence of a brilliant assembly of bishops, judges, and nobles, he made clear how much he took it to heart "that all thinges should be duly performed which might tend to the preservation of that trew religion wherein we haue euer liued and resolued to dye."[1]

Meanwhile, the hopes cherished by the Catholics were no less exaggerated than the expectations of the Puritans. Both had relied upon certain verbal statements made by James before his accession to the throne, and the chief aspirations of the adherents of the Pope were based on the reports of that William Watson, who had been so prominent during the last two years, in the matter of the Archpriest. Exactly what James said to him will never be known,[2] but even had he agreed, as Watson declared, to molest no Catholic who was loyal, that would have availed them but little, inasmuch as no one could obey the laws of England and remain a Catholic. Apparently, for all the secret history of the time is confused and vague, Watson was much piqued by the complaints addressed to him, as soon as it became known in May, 1603, that the fines imposed for recusancy by the statutes of Elizabeth would still be exacted. To the erratic mind of the priest, who was really despite his energy the least worthy and responsible of all the Appellants, this seemed to be not only a revocation of James's personal promise to him, but also a renunciation of the early report that the recusancy fines should not be collected. He therefore hatched a scheme which was probably the craziest of all the astonishingly senseless plots of that period. He attempted to unite in it

press of which still remained on English institutions long after it had resulted in the ruin of the Stuart line."

[1] Narrated in the Proclamation of February 18, 1604-5, S. P. Dom. Jac. I, XII, no. 87.

[2] It was later said at Balmerino's trial that Watson confessed before his death that James made him no explicit promises, but that "nottheless, to the end he might keepe the Catholickes in a better dispositioun to his Majestie, he did give them better hopes." Calderwood, *History of the Kirk*, VI, 809. *Summe of the Counsell of England's Proceedings.*

Sir Griffin Markham, a discontented Catholic gentleman, George Brooke, a malcontent Protestant and the brother of Lord Cobham, and Thomas, Lord Grey of Wilton, a man of noble character who was looked upon by some as a leader of the Puritan party. Two priests were enlisted, Copley and Clarke, who performed, together with Watson, the bulk of the plotting and proselyting. Part of those gained over to the cause were induced to take an oath binding them to defend the King's person, to seek the restoration of the Catholic religion in England, and to keep the plot inviolably secret. Some were told that, inasmuch as the King was not yet crowned, they were free to use any reasonable means to secure their ends. To others, Watson declared that the Puritans intended to seize the royal person, and that he was forming a secret association to thwart them and to insure to the Catholics the royal gratitude by saving him from such compulsion. Among the leaders still a third idea seems to have prevailed. An armed body of men were to seize the King at Greenwich on a Midsummer Day (June 24), convey him to the Tower for security, and there extort from him toleration for all Catholics and the placing of the chief offices of the realm in the hands of the conspirators and their friends.[1] The only part of the whole scheme that seems to have been attempted was the collecting of men in London. Here again, Watson apparently thought that five thousand armed men from Lancashire, and some few hundreds from Wales and Worcestershire equally well equipped, could march across England in a body without attracting attention. But the Court moved on the twenty-third and upset their plans; the armed men from the North and West failed to materialise; and in addition, Barnaby, one of the secular priests, who had small affection for the overbearing Watson, came to Bancroft and revealed the whole plot.[2] For all these good and sufficient reasons the plot failed.

There was, in fact, too much hostility in the Catholic camp to allow any plot, however perfect, to succeed. Copley, Watson's

[1] The documents for this plot are printed at great length by Tierney in his *Dodd's Church History*. IV. See also the State Papers and the *State Trials*. It is very difficult to disentangle this incident from the supposed plot of Cobham and Ralegh. Bancroft's letters add most important information.

[2] Bancroft to Cecil, August 9, 1603. Hatfield MSS. 101, f. 108, Holograph. Also Degli Effetti to Del Bufalo. $\frac{\text{June } 30}{\text{July } 10}$, and $\frac{\text{July } 13}{\text{July } 23}$, Roman Transcripts, Record Office.

confederate, told his sister, Mrs. Gage, something of the scheme, and also wrote to Blackwell, the Archpriest, under the seal of confession, to ask if he might with good conscience take part in it. But as Mrs. Gage was intimate with Father Gerard, the Jesuits were soon aware of all she knew, while, either from Blackwell or from some other avenue of information, the Seculars in prison were cognisant of the gist of the plot. Most of them intended to betray Watson, in order to curry favour with the Government and to furnish proof of their own loyalty. Blackwell and Gerard consulted together and finally told the news to a Catholic noble of the Court, who at once departed post haste for Whitehall. But on arriving, he found that Barnaby had given Bancroft the information on the day before,[1] not, however, without some hesitation. "I wold haue your L(ordship) to knowe," wrote Bancroft to Cecil,[2] "yt Barnaby might haue told me of ye late conspiracy of Sir Griffin Markham the day before he came unto me: and yt he had not come to me at all, but yt he suspected yt Mr. Blackwell had layed a decyte to haue catched hym, and yt the other priestes assured him yt, yf he went not to me, then wold themselves disclose what he had told them. Besides, if tymes were well examined: there wold be fownd treachery both in Blackwell, Gage and the rest. Byt yt is past: and god used them as instruments against theire wills for feare one of an other, to disclose the intended villany."

For a fortnight Bancroft was busy probing the matter. Copley was captured at least as early as July 10, and for two days was carefully examined by Bancroft, Waad, the lieutenant of the Tower, and Justices Fleming and Croke.[3] After some considerable pleading with him (there is no reason to suppose torture was used) he finally wrote down a full confession and acknowledged it on July 14 before Bancroft and his associates.[4] That same day Ban-

[1] All told by Barnaby himself to Bancroft. See his letter printed in Tierney's *Dodd*, IV, xlix. Gerard and Darcy seem to have known of it as early as April, 1603. See also Bancroft to Salisbury, Hatfield MSS. 112, f. 94, September 27, 1605.

[2] Hatfield MSS. 101, f. 108. Holograph. August 9, 1603.

[3] Bancroft et al. to Cecil. S. P. Dom. Jac. I, II, no. 43. He says:— "we haue taken great paynes these two hole dayes in dealinge with Copley."

[4] The original paper is in S. P. Dom. Jac. I, II, no. 51-52; another copy, no. 43, i. Acknowledged on July 25, before seven of the Privy Council, of whom Bancroft was not one. See also on Watson, Hatfield MSS. 101, f. 38.

croft also signed the warrant for the apprehension of Markham.[1] Cecil next asked the bishop to produce Watson, but he replied[2] that it was an error to suppose he had him in custody. He had not seen him since January, 1603, when "he was prisoner at Large as was convenient for ye service of that tyme: and as it falleth owt he hath taken his libertie accordinglie and abused it." Brooke was made a prisoner at Fulham in Bancroft's charge. "I perswad hym," the latter wrote to Cecil,[3] "yt ye only way to procure favor is to open all yt possibly he can. He wold gladly nurishe a conceite in hymselfe yt he and the Lord Gray do rather deserve thankes and favor for diverting and breaking ye plott, then to be imprisoned etc. and accounteth it a dangerouse matter to rip into such a cause now past." Bancroft had meanwhile discovered Clarke's connection with the affair and suggested his arrest.[4]

More important news transpired on July 20. A priest told Bancroft that Watson was on his way to London, and that when he arrived, word would be passed on to Fulham of his whereabouts, while in addition to this gratifying bit of information, he deposed a great deal of gossip and rumour about Jesuits in England and abroad.[5] Bancroft was becoming nervous again at dealing with so many priests, and was afraid that his enemies would seize upon the matter and make him liable to the penalties of praemunire, if not of treason. "I pray your L(ordship)," he wrote to Cecil, "procure the Kinges hand to ye letter inclosed for my safetie. I haue sent ye letter of ye K(ing) for yt purpose: and haue drawen the other accordingly. I desire to haue ye K(ing)'s letter agayne. it were not good if any one knew hereof. so as I wold be glad if you procured it yourself."[6] Thus did he safeguard himself from danger. On the 21st, the officers of the High Commission knowing that Markham and his men were wanted in London, arrested one and sent him on to Bancroft who passed him over to Whitgift, who in his turn placed him in the Gatehouse, which at that time served as the prison of the High Commission.[7] All the conspirators were soon caught, lodged in jail, and interrogated at length.

[1] S. P. Dom. Jac. I, II, no. 49.

[2] Hatfield MSS. 101, f. 33.

[3] Hatfield MSS. 101, f. 57, holograph, July 16; and Hatfield MSS. 101, f. 70, July 18, on Brooke.

[4] Letter of July 16, Hatfield MSS. 101, f. 57. He was taken in August, see Hatfield MSS. 101, f. 112.

[5] S. P. Dom. Jac. I, II, no. 68. July 21, 1603. Bancroft to Cecil.

[6] Holograph postscript to the letter of July 21.

[7] Bancroft to Cecil, July 21, 1603, Hatfield MSS. 101, f. 84.

In these examinations of Watson and in the difficulties in which Raleigh, Cobham, and Brooke were soon involved, Bancroft seems to have played no part that can now be traced.[1] Some of the unfortunate men expiated their fault on the scaffold in the following November, and the rest were fined or pardoned.[2]

During the months of July and August, the Puritans of Sussex and elsewhere had been busily preparing such petitions from the ministers, gentry, and people as the *Advice tending to Reformation* had directed. A council of some ten or a dozen ministers was constituted under the leadership of Henry Jacobs,[3] a member of the London brethren. His chief aids were Norden, Frewen, Healie, Goldesmith, Goffe, and Erbury, four of whom we shall later see among those present at the Hampton Court Conference, and we shall find Erbury preferring charges of treason against Bancroft for his dealings with the Catholics. Jacobs was, in the words of the Oxford Professors, a man "of ordinary partes and of as ordinary place when he lived amongst us:"[4] the rest of these "hott reformers and learned ministerie, never saluted anie universitie, some of them departed thence with the lowist degrees, and continewe bacchilors of Artes: the best of them in Sussex is but a Master of Artes:"[5] while Pierson, the chief promoter of the petition of the laity, had many years before applied for induction into the ministry but had refused to subscribe, and had since been, in turn, schoolmaster, farmer, and "pettifogging" lawyer.[6] The ministers' petition[7] was drawn up by Norden, and approved at a meeting of half a dozen at Doble's house in Hamsey, where Norden was the vicar. Some three or four then carried it to London, and when they returned, spread far and wide the news that Mr. Galloway had

[1] See papers in S. P. Dom. Jac. I, II, no. 54-55, 64-65: III, no. 16, 18, 23, 34; IV, no. 36, 67, 91. Bancroft signed none of these.

[2] The Catholic history will be treated at length when the Gunpowder Plot is reached. It is omitted here because, as will be shown, it was until that date a political and not an ecclesiastical problem, and properly speaking, has no place in a history of the Church at all.

[3] These details are drawn from the examinations of these very men later conducted by the Privy Council, all of which substantially agree. Hatfield MSS. 101, f. 160 ff. Some of the correspondence of the Bishop of Chichester and the Privy Council anent the affair is in the MSS. of the Duke of Northumberland, vol. VII. (*Historical MSS. Com. Reports.*)

[4] *Answer of the Vice Chancellor . . . of Oxford*, 1603.

[5] Hatfield MSS. 101, f. 160.

[6] S. P. Dom. Jac. I, III, no. 83. September 24, 1603. Whitgift and Bancroft to Cecil.

[7] The original paper is in Hatfield MSS, 103, f. 64.

read it and given his approval. So much accomplished, they set out to secure signatures, laying great stress upon the approval of Galloway, and upon the fact that the gentry and commonalty would also present petitions. These latter facts they well knew, for they had themselves already penned those documents, and had induced two rather influential gentlemen to request the signatures of the justices of the peace and of the gentry. Meanwhile, Pierson and the ministers had been circulating the people's petition and soon had nine copies of it in process of being signed, all of them stating that the whole laity of Sussex approved the request of the petitioners. Many were induced to sign by personal entreaty, but the greater number were secured at evening prayers and midweek sermons where the petition was read from the pulpit, approved of or said to be passed by general consent, and the names written in by a clerk. In all, they had obtained 1285 names to the nine petitions. When we consider that there were some three hundred clergy in Sussex, each of them with a congregation of some hundreds, it begins to be clear that these forty ministers, a dozen gentlemen, and some twelve hundred peasants had no right to speak in behalf of the shire as a whole and could not even be regarded as representative of its desires. Moreover, the searching examinations conducted by the Privy Council soon demonstrated that about half a dozen ministers, aided by Pierson, had drawn up all the petitions and procured most of the signatures to them, and indeed, that all the signatures might have come from their own congregations. While it is significant that forty ministers and twelve hundred laity could be found ready to approve such measures, these petitions can no longer be regarded as spontaneous results of the presence of evils in the Church or of a voluntary impulse for reform.

When the news of this stir in Sussex first reached London, Whitgift and Bancroft were fearful of its results upon the King, and wrote in haste to Cecil on September 24,[1] to tell him what they knew about it and its authors, (which was, as may be imagined, not likely to prepossess him in its favour) and to beg him to acquaint the King. Letters had also come from the Bishop of Chichester to others of the Privy Council.[2] Realising immediately to what excellent use the incident might be put, Buckhurst, the Lord Treasurer,

[1] S. P. Dom. Jac. I, III, no. 83.
[2] Buckhurst to Whitgift, Additional MSS. 28571, f. 179.

rose at the next Council meeting, and spoke upon the seriousness of this "raising of tumults for the settling of fancies." In a body, the Council waited upon James and laid the case before him. He listened attentively, was suitably impressed with the gravity of the situation, and agreed that a proclamation should be issued and that the promoters should be apprehended.[1] Accordingly, the Bishop of Chichester, with some of the gentry, was directed to seize all the culprits and examine them thoroughly, but it is not known that any punishment was meted out to them, and four of the most active were later allowed to attend the Hampton Court Conference. Indeed, the Council never really thought the matter serious: "touching this matter of Sussex," wrote Buckhurst to Whitgift, "I think it not much." Nor were the Puritans in other parts of the realm deterred from petitioning, for, on November 12, 1603, we find Cartwright writing to Sir Christopher Yelverton, whom we shall later find championing the Puritan cause in Parliament and who was, in fact, its mainstay in Warwickshire, to beg him to draw up a petition and sign it. The minister suggested the heads of what he should say, and enclosed a short survey of facts such as had been suggested in the *Advice tending to Reformation,* and concluded, that if he would lead, "as the principal belwether of the flock to go before the rest, so I am persuaded the rest would follow with great cheerfulness."[2]

On October 24, 1603, there appeared a proclamation[3] directed to "such as seditiously seek reformation in Church matters," stating that "these reformers under pretended zeal affect novelty and so

[1] The Puritans asserted that the petition had been very well received at Court. "The ministers came to the Court and Mr. Tickbury one of them shewed to the Lords of the Counsell their Petition which was very well accepted and liked of. He proved against the Attorney Generall that subscription was against the King's prerogative, the Bps having no Commission from the Crowne either to exact subscription or to keep courtes, and therfore to be in præmunire. Mr. Snape hath lettres from the Lordes of the Councell to the Bp to accept of subscription, secundam formam statutis, and to suffer him to preach anywhere out of the cittie. The Kinge is much offended with the aunsweare to the petition made by the Vicechanceler and others of Oxforde, and said it was written by a Devillish Spirit." A letter from London, from Egerton (?) November 13, 1603. Sloane MSS. 271, f. 23. This letter shows how the Puritans misled each other, and how the gossipping remarks of Galloway and others were diligently spread around until they lost all semblance of their original form.

[2] Sloane MSS. 271, f. 21 b.

[3] Patent Roll, I Jac. I, part 3. Printed in Wilkins, *Concilia,* IV, 371, and in numerous other places.

confusion in all estates,'' and that their courses ''savour of tumult, sedition and violence, and not of such a Christian modesty as beseemeth those who for piety's sake only desire redress of things they thinke to be amiss.'' As for the Established Church, ''*since we have understood the form and frame,* we are persuaded that both the constitution and doctrine thereof is agreeable to God's word and near to the condition of the primitive Church.'' We find the bishops no less willing and more able to give counsel than those ''whose zeal goeth so fast before their discretion.'' Two days later, James indited another paper, this time to the Archbishop,[1] reiterating his intentions ''not to give way to unquiet persons'' who impugned the laws ''out of private humor'' but declaring that so many complaints of abuses had come to his ears, that he desired Whitgift to collect information which would show him how far they were false or true. He ordered, moreover, that all who used ''new formes not prescribed by authoritie'' should be ''severely repressed'' and all men forced ''to conforme themselves to that which we haue by our open declaration published.'' The Hampton Court Conference, already appointed for the following January, was not to be held for the deciding of the King's mind, whether or not he would support Episcopacy, but to help him to reform some few abuses in the system as it existed. The King had no idea that he was raising any other issue.

[1] James to the Archbishop, October 26, 1603, S. P. Dom. Jac. I, IV, no. 33. Also in Harleian MSS. 677, f. 107, dated October 29.

CHAPTER II

HAMPTON COURT CONFERENCE

The cause of the famous Conference lay not in the evils in the Church, nor in the sufferings of the Puritans, nor in their desire for reform, but in the fact that a new king had arrived who had not heard the tale of their woes, nor their schemes of reform; who did not know the facts of the case, and who was not conversant with their past history. If Bancroft could have had his way, there would doubtless have been no conference, not because he would have condemned them unheard, but because, as he would have said, his ears were tired from the perpetual dinning into them for twenty-five years, of the same complaints; and if he had not already heard enough, it was not likely that a single morning's debate would enlighten him. But James had heard little, if anything. Moreover, he came to England filled with a desire to be fair and impartial to his new subjects, to redress abuses, and to close his ear to the pleadings of no man who claimed justice from him. He liked debates, and was sure that his own gift of exposition was so considerable, his analysis and logic so invincible, that the most obstinate man in all England could not help yielding to such a display of reason. The Puritans sought the conference from precisely these same motives: if once the King could hear their speakers, he must grant their requests. Bancroft no doubt was inclined to think, in the phrases Hooker addressed to these same men, that "unless the judgment given do satisfy your minds, . . . in a word, unless you perceive and acknowledge it yourselves consonant with God's word," you "intend to persist and proceed as ye have begun, till yourselves can be persuaded to condemn yourselves."[1] Knowing the Puritans, he had no hope that the King would convince them: aware of James's propensity to believe that what he thought at any one moment was the truth, he was much afraid that the Puri-

[1] Hooker, Preface to the *Ecclesiastical Polity*, Chap. VI, Sect. iii, *Works*, (7th Ed.) I, 167.

tans might influence him to do or say something prejudical to the Church. In short, from James's personal whim, flowing in truth from a deep set spring in his character, came the Hampton Court Conference.

By this act, all unconsciously, he gave the Puritans and their demands, for the first time in their history, a real dignity. Elizabeth had treated them with cold contempt as a small body of innovators, had refused all conferences, and had dealt with them only through the sharp end of the sword of justice. Sagacious, clever, and a master of statecraft, as James never was, she well saw that to permit them to debate publicly before her with the bishops was to place them on an equality with the hierarchy, to throw doubts upon her own determination at all hazards to support the Church established by law, and to allow them to spread the report that the conference was called to furnish her with an opportunity for deciding which was the true form of Church government—Episcopacy or Presbyterianism. With no more intention of accepting the Book of Discipline than Elizabeth had, and even more certain in his own mind that Episcopacy was the true government, James created an entirely wrong impression by espousing the idea of a conference suggested in the Millenary Petition. In fact, he attached no special significance to debating with any one, and could not conceive that any one else could think it important to debate with him. He had argued with ministers every week of his life in Scotland, and to the year of his death continued in England to examine a witch or a priest whenever he felt inclined. But Elizabeth's constant refusal to discuss any topic whatever with a subject, the enormous personal influence of the sovereign, and the doubt as to what James's personal faith was, lent to the Hampton Court Conference, then and now, an interest and significance which James never intended it should have.[1]

It at once invested the Puritan complaint with dignity and importance, gave these few ministers the standing of an important party in the Church, left the impression that Episcopacy and the bishops were, in the main, responsible for its evils because they were the ones of whom the Puritans complained. It did more. The Puritans managed to appear as disinterested men pleading with the

[1] There is reason to believe that this was the accepted view twenty years later. F. Osborne, *Traditional Memoirs of James I*, Sect. 16.

King against the guilty bishops who were eager to hide the traces of their misdeeds. As Hooker said, "such as openly reprove supposed disorders of state, are taken for principal friends to the common benefit of all and for men that carry singular freedom of mind; under this fair and plausible colour whatsoever they utter passeth for good and current."[1] James indeed had no thought of suspending judgment until he had heard the complaints—(this, his proclamation of October 24, and his action on the first day of the conference before the Puritan speakers had uttered a word, proves beyond a doubt)—and there was then none of that inconsistency or discourtesy in his conduct for which he has been so often censured. He did not summon the Puritans to an equal contest of strength with the bishops to decide the fate of the Church, and then contemptuously spurn their arguments; he called them out of curiosity to hear what they could allege in defence of what seemed to him an untenable position, and when he had listened all day, concluded that he had heard very little to the purpose.

The first idea of a conference of Puritans and Bishops appeared in the Millenary Petition. The summons to it was promulgated toward the end of the summer,[2] naming November 1, as the date. Toward the end of October,[3] the discovery of the "seditious" petition from Sussex Puritans, the raging of the plague in London, and a great deal of official business, caused its postponement until after the Christmas holidays, and finally January 12, 1603-4, was appointed for the hearing. Originally, there were to have been eight Bishops and eight Puritans, the latter being selected from the most prominent leaders of the old Classis movement, which had been abandoned in 1592.[4] But Cartwright had died in December,

[1] Hooker, *Ecclesiastical Polity*, *Works*, (7th Ed.) I, 198.

[2] The Puritans had of course been demanding such a conference for years. What is meant here is the genesis of the idea which resulted in this particular conference. Various ideas of it were rife during the summer. "23 of August, 1603, it is said that the Disputers on both parts are D. Whitgift, Archbishop of Can.: D. Bilson: D. Watson, Bp. of Chichester, D. Babington, of Worcester, D. Mathewe, D. Rudd: D. Reinoldes, Mr. Chadderton, Mr. Travers, Mr. Knewstubbes, Mr. Jerton, Mr. Hildersham." Smart's Letter Book. Sloane MSS. 271, f. 21 b.

[3] See the Bishop of Durham to Cecil (Hatfield MSS. 101, f. 153, Holograph, October 1603) hoping that it will be postponed instead of being held November 1.

[4] S. P. Dom. Jac. I, VI, no. 15, very likely the original list drawn by Galloway's own hand. It named the Archbishop and the Bishops of London, Winchester, Chichester, Worcester, St. Davids, Durham, and Carlisle; and Raignolds, Sparke, Feild, Hildersham, Cartwright, Chaderton, Fenn, and Knewstubbs.

Hildersham and Egerton were discovered to have been very influential in the preparation of the *Advice tending to Reformation,* a copy of which had certainly found its way into Cecil's hands,[1] and Fenn was thought by Bancroft to be another man too radical to be called. The list as originally proposed, drawn up probably by the Puritans themselves and presented by Galloway, would have given the two wings of the party equal representation, but the revised list left the moderates in the majority, three to two. Feilde and Knewstubbs in fact took little part in the speech-making before the King, and the reason was that they had been defeated in the party conclave convened in December in or near London, to concert a method of action for the conference.

The moderates had come into power when the terror, into which Bancroft had thrown all the Classis party in 1592, had been sufficiently allayed by the acquittal and release of the prisoners, and they had managed to keep in touch with one another by correspondence and to modify the radical out-pourings till Elizabeth's death. Even then they had kept control and had well justified their policy by the success of the Millenary Petition. But the radicals, fairly intoxicated with delight, brushed aside all caution, and soon, in the reception accorded the first of the petitions for which they had planned, reaped the fruit of their rashness. Aided by this tactical error, the moderates once more found the precarious and shifting balance of the party on their side, and prepared a set of instructions for the speakers at the conference whose key note was diplomacy and moderation.[2]

The tone of the whole paper was set by the first article, which asked for the establishing of a learned ministry "able to teach, diligent in teaching, and of unblameable life, and for the avoiding of all dispensations for pluralities non-residents and commendams." The word "teach" was substituted for "preach" and therefore prevented the Bishops from replying that most of the clergy were too ignorant to preach. In the second article, appeared a request for the "raising of a complete maintenance for the ministry" by uniting small parishes, by voiding unjust commutations

[1] The one we have is underlined and annotated in his hand.

[2] This remarkable paper, now used, it is believed, for the first time, has been printed in full in the *Historical MSS. Commission Report on the Papers of Lord Montagu of Beaulieu.* (1900) 32-40. After the instructions came a very long paper or brief for the defence, with copious citations from the Fathers.

of tithes, and by increasing the allowances made by impropriators to the clergy. The stress of the conference was meant to be laid upon the two matters which Bancroft himself was most eager to promote—a learned ministry and the amelioration of ecclesiastical incomes[1]—and well they knew that no churchman would deny the extreme need of action on those points nor the bad state of the Church. They would propose to the King Bancroft's own plan of reform, conscious that if he had already obtained James's consent they could still claim credit for having first enunciated it in the Millenary Petition. The other articles recommended in very temperate language the revision of the Thirty-Nine Articles, the abolition of certain ceremonies which were obnoxious, the verbal correction of the liturgy, the revision of the Canon Law, "that we may know what laws we are bound to obey," the preparation of a proper catechism, and the more reverent observance of the Sabbath.

Upon three of these moderate articles, the strong radical minority had succeeded in grafting the embryo of the whole system of Discipline proposed in 1584. The first demanded that subscription to the Thirty-Nine Articles should be to matters of faith only, which, in truth, meant the refusal to approve the control of the Church by the Crown, and its government by bishops. Before Episcopacy could be transformed into Presbyterianism, the recognition that it was either the only legal establishment or the form of church government sanctioned by the Word of God, must be removed as a test of sufficiency for clergymen. Next stood a demand for the rëestablishing of prophesies, which was, in fact, nothing less than the sanctioning by law of the Classes which had met secretly between 1584 and 1591. Then, the third demand, which was for the "restoration" of the "ministers' right" in the ordination of ministers, would have given to these prophesies or classes, the control of ordination, and, in consequence, the virtual right to define the qualifications of a clergyman of the Church, a power which could not have failed to draw in its train the ultimate mastery over the per-

[1] The first idea as to what they should say was very different. Smart heard during the summer that the conference would cover (a) "Whether it be lawfull to have an ignorant nonresident pluralitane ministerye. (b) Whether it be lawfull for laickes as Chauncelers, commissaries, etc. to manage the Discipline of the Church. (c) Whether Subscription be to be urged comprehendinge all the faultes of the Liturgie." Sloane MSS. 271, f. 21 b.

sonnel of the ministry. In addition, by the "restoration" to each individual clergyman of the power of ecclesiastical censures over the laity, these same ministers, who had just planned to acquire jurisdiction over one another in the prophesy, would have been invested with authority over the laity in all matters of discipline, completely supplanting the whole hierarchy of the Church. Finally, the document significantly showed the Puritan belief that all these questions were still undecided and unadjudicated by directing their representatives to ask that the Bishops should take no action against Nonconformists until "these matters shall be by his Majesty and the Parliament fully determined." Here they tactfully denied the right of the Bishops to act for the Church.

Thus, this platform, which appeared to the uninitiated so simple and harmless, really contained the seeds of innovation as well as of reform. But the issues between the Puritans and the Church were not small matters at all: they included the fundamental issues of administration as well as of doctrine, and, as has been already pointed out at some length, instead of there being any substantial agreement of the Puritans with the Church as regards fundamental doctrines, there was the widest divergence. They asserted roundly that they asked merely for the remedy of minor points, because they knew that if they showed the far-reaching consequences of those reforms, not one of them would ever be granted. Indeed, it was treason to ask openly for what they desired. Here was the bone of contention between the moderates and the radicals, the latter insisting that such concealment only injured the cause by making the King think that, after all, it was very little that they wanted. It was to be the irony of fate that Raignolds, the chief exponent of the conservative views, should be so stung at the conference by James's sarcasm over his "frivolous requests," that he suddenly brought forward the radical plan to the complete justification of his own prediction, for the King from that moment refused to listen.

Meanwhile, Bancroft was not without suspicions of what was in the air: possibly he received from some spy full reports of the Puritan deliberations. Rumours of all sorts were also flying about London, which were duly collected by the foreign ambassadors and reported to their governments with parade and solemnity. To the mind of the French envoy, the Bishops were afraid of the re-

sults of the conference and found their apprehensions echoed by the Queen. According to his informant, every one believed that the Genevan envoy, ostensibly in London to secure financial aid for his harassed city state, had really been despatched to aid the English Puritans. "To whom his Maiestie said, content yourself my Lord he was present at the Conference.[2] Patrick Galloway was certainly the representative of the Scotch Calvinists, and left no stone unturned to sway James's mind in that direction.

The Puritan letters from London were full of hope and expectation. "I had conference with Mr. Galloway and Mr. Pickering at large," wrote one of them early in December. "The Disputation shall holde without faile though the Bishop of Winchester had done his best to hinder it." Egerton added further details. The Bishop had begged the King to excuse men of such grave learning and exalted standing, as were the Bishops, from debating with "men of so meane place and qualitye" as were the Puritans. "To whom his Maiestie said, content yourself my Lord we knowe better then you what belongeth to these matters." Three Bishops, continued Egerton, had turned Puritan, and one more was expected to follow. Snape wrote, on December 5:—"I was at the court 3 dayes past, where I learned for certain that Mr. Patricke Gallowaye preachinge lately before the Kinge, after he had strongly urged the necessitie of a learned and resident ministerye, tolde thassemblye that his Maiesties full Resolution and purpose was (by the grace of god) to establish such a ministerye through out all his Dominions as fast as God might give him meanes unto it: and said it was his Majesties pleasure that he should signifye so much unto them." The King had declared at dinner that he would subscribe to all Galloway had said.[3] No wonder the Puritans in

[1] Record Office, Paris Transcripts, $\frac{14}{24}$ January $\frac{1603}{1604}$ "Comme entre les heretiques et icy principalement toutte sorte de soubcon est bien receue, l'on s'est persuade qu'il (the Genevan envoy) estait enuoie soubz ce pretexte pour esmouuoir les puretains de sa religion à demander reformation en l'Eglise et troubller set Estat."

[2] Possibly he was present only as invited guest, and was in England partly to collect the money, and partly to secure the inclusion of Geneva in the treaty of peace of 1604 with Spain. See Soully Anjourant to James, Hatfield MSS. 109, f. 54. (1603 ?) Letters of James to Convocation and to Bancroft for a collection of money to aid the city of Geneva, are in Baker MSS. M. m. i. 43, f. 541, et seq., S. P. Dom. Jac. I, Addenda. 36. no. 29.

[3] These details come from letters copied by Smart, dated November 30, December 5, December 8. Sloane MSS. 271, f. 23, 24.

the country thought that the day for the establishing of the Discipline was nigh; no wonder they censured James a month or two later for breaking his promises, and nursed their wrath against the antichristian bishops who had poisoned his ears.

The Bishops, however, thoroughly understood that the King had unintentionally given prominence to the real issue between them and the Puritans, which, in sooth, was neither the state of ecclesiastical incomes, nor the omission of ceremonies, nor the connivance at nonconformity, but the establishment of Presbyterianism in lieu of Episcopacy. Doubtless, they did their best to convince James of the serious error he was making, and stood aghast at the table-talk which so aroused the expectations of the Puritans. Scarcely had the first summons for the conference been issued, than Hutton, the Archbishop of York, a man who sympathised with the Puritans in many ways, sent Whitgift a lengthy letter in which he discussed the points which seemed to him likely to appear at the conference.[1] The deficiencies in ecclesiastical incomes must receive serious attention, he said, but the truly momentous issue was that of church government. "I am informed there is bandinge by men of learning but of singular wisdome in their owne opinions sett on by busie boddies, hott and gyddie headed." "who feare nothinge more then leaste they should seeme to doubt of anie thinge," and who seek the alteration or overthrow of the Book of Common Prayer. He placed the issue squarely between Episcopacy and Presbytery, and prayed that God would give his Majesty courage to withstand both Papist and Puritan, "that neither the Papists may obtain their hoped for toleration, nor the Puritans the fanatical platform of their reformation." There were many anxious conferences at Lambeth and Fulham as to the best method of refuting the Puritan contentions and of convincing James that the bad state of the Church was really due to those fundamental troubles—the lack of maintenance and the want of coercive force.

With such apprehensions the nine Bishops appeared at Whitehall, on Thursday, January 12, 1603-4, and were privately received by the King.[2] He told them, quite informally, that he had summoned

[1] Tanner MSS. 280, f. 168. Printed in Strype, *Whitgift*, III, 392-402, October 9, 1603.

[2] From this point we have the guidance of William Barlow, *The Summe and Substance of the Conference*, which has been and must remain the chief authority on the Conference. It was written at the royal command, (communicated by Whitgift says Bar-

them to meet him anent the reformation of some matters complained of in the Church, and spoke at some length of his desire to strengthen the English Church in Ireland, adding, however, that the day for the conference had been postponed till Saturday, when he would see them again.

On the morning of the 14th, then, about eleven o'clock[1] the Bishops made their way in the panoply of ecclesiastical state, toward the Presence Chamber, where they found seated upon a bench the five[2] Puritan advocates. The tension of this somewhat awkward situation, watched, no doubt, with glee by the court gossips, was relieved by the arrival of a message from the King to the effect that he would see that day only the Privy Council, the Bishops and the

low in his preface) but undertaken at Bancroft's express direction, as he says in a holograph letter still preserved at Hatfield. (Hatfield MSS. 188, f. 109. May 12, 1604, Barlow to Cecil.) It was written as an answer to "some copies (scattered abroad) unsavory and untrue." There can be little doubt that James saw it before it was printed and that Bancroft revised it carefully, which forces us to accept it as satisfactory to two of the chief actors, to the discredit of whose memory it has been often cited. No express denial of its truth was made afterwards by the Puritans, and as Dr. Gardiner says, (*History of England*, I, 155, note) "if he (Barlow) introduced any actual misrepresentation, we should certainly have had a more correct account from the other side." He had every reason to know what the truth was, for he states that his account was compiled from notes taken by Bancroft, by the Deans of Christ Church, Winchester, Windsor, Nottingham, and himself. Very likely he sinned most in lauding James too highly, though the MSS. evidence supports most of the extravagant things he reports.

[1] There are other accounts besides Barlow's. Anonymous account, Baker MSS. M. m. 1. 45, f. 155-7, now printed for the first time: an account, hitherto unnoticed, in Harleian MSS. 828, f. 32; Dr. Mountague (who was present) to his mother, in Winwood's *Memorials*, II, 13, dated January 18, 1603; Matthew, Bishop of Durham, one of the participants, Strype, *Whitgift*, III, f. 402-407, dated January 19, 1603-4, written to Hutton, Archbishop of York; Galloway to the Presbytery at Edinburgh, February 10, Calderwood's *Ecclesiastical History*, (1845) VI, 241, more accurately printed in Botfield, *Original Letters Relating to Ecclesiastical Affairs in Scotland*, I, 3-4; Two of the ambassadorial accounts are in Roman Transcripts (General) January $\frac{21}{31}$, $\frac{1603}{1604}$ and *Venetian Calendar*, X, no. 187, $\frac{\text{January } 25}{\text{February } 4}$, $\frac{1603}{1604}$, neither of which can be depended upon. Also a very pithy letter from James himself to Northampton in Scotland, printed in Ellis's *Letters, Third Series*, IV, 161. In Edward Cardwell, *History of Conferences*, many of these better known accounts, including Barlow, have been reprinted.

In the Appendix, have been printed the Baker MSS. and four Puritan Accounts of the Conference, the most important of which is Harleian MSS. 828. This seems to be a *moderate statement, and is at once fairer* to the Puritans and less extravagant in its praises of James than is Barlow's account. Still it is anonymous and therefore never can claim a greater authority than Barlow's official statement.

[2] Following Barlow, the number has usually been given as four, Raignolds, Sparke, Chaderton, and Knewstubbs.

Deans. These the Lord Chamberlain ushered into the Privy Chamber, and closed the door, leaving the Puritans to their meditations. After some delay, James arrived, chatted in an informal way with some of the Councilors, and finally, taking his seat upon the chair of state, proceeded to discourse to the assembled company upon his reasons for "consulting" them. He thanked God from his heart, he said, that He had brought him "into the promised Land, where Religion was purely professed" and where a king was surrounded by grave and reverend men, instead of by the "beardlesse boys" who had braved him to his face in Scotland. He wished to "examine and trie" a multitude of complaints brought him of dissentions, disobedience, and disorders in the Church, with a purpose not to innovate, but rather to perfect the Church so happily established by his dear sister of glorious memory. He meant to amend the scandalous, cure the dangerous, and so handle the frivolous that factious spirits should find nothing more to loose their tongues upon. To the Bishops, he remarked that he had called them to meet him alone in order that anything deserving of reform might be consummated "without visible alteration" and he hoped that they would elucidate for him the nature and use of confirmation, the term, abolition of sins, the rite of private baptism, and others upon which the Book of Common Prayer needed explanation.[1] According to report, excommunication was used in trifling cases and far too often.

Sinking upon his knees, Whitgift thanked God for "a King so wise, learned and iudicious," and went on to expound the use of confirmation and the other points mentioned.[2] Bancroft, followed by the Bishops of Carlisle and Durham, added further explanations, and, after much debate and a great turning of the Prayer

Matthew, who was not in the room, and Baker MSS. agree. On the other hand, the Beaulieu MSS. reads five, adding Feilde's name, and is confirmed by Harleian MSS. 828, and by Galloway. Mountague, however, gives the number as six, adding Dr. King's name. Thus, Mountague, writing on Jaunary 18, says six: Matthew, writing January 19, says four: Galloway, writing on February 10 says five. All three were on the spot, and two were in the room with the Puritan speakers for six hours, and, so far as we know, none of them had any motive for telling anything but the truth. If five were there, as seems true, it is hard to see why Barlow should have omitted Feilde's name.

[1] Matthew adds: "and for his own resolutions in some particulars which the contrary faction imputed to the Book of Common Prayer and partly to the forme of Church government here." See some differences in Mountague also, all of which seem to show that much was said to the issue, Presbytery or Episcopacy, which it was thought politic to omit from Barlow's printed account.

[2] Barlow, p. 9, (1604).

Book and of the Church Fathers, a conclusion was reached on practically all those points later set forth in the proclamation of February 9. Far from opposing the changes, the Bishops were quite unanimous in declaring that they had "beene long and often desired, but could not be obtained from her Maiestie, who resolued ever to be Semper eadem, and to alter nothing which she once had settled."[1] In conclusion, James directed the majority of those present to prepare these points in due form by the following Wednesday, and appointed Monday for the hearing of the Puritans. Thus ended the first day's conference. James had occupied precisely the position Elizabeth had always assumed: that he and his Privy Council were to decide what was proper and fitting for the Church, and that the clergy had, neither by inherent right nor by expediency, any position except that of advisers to the King and Council, and of executants of such orders as the latter saw fit to give. The Bishops had been on trial, had been called to account for their stewardship, but their defence had been so successful, and they had so convinced the King of their good intentions, that he began, as Elizabeth never had, to consider their advice valuable.

Monday, January 16, found Bancroft and Andrews, the Bishops of London and Winchester, in the Privy Chamber with the Deans, waiting the arrival of the King, where they were presently joined by the five Puritan advocates, clad in the fur cloaks which Aldermen affected, instead of in academic gowns. In due time, the King entered with much parade and dignity, and, seating himself, made a "pitthy and sweet speech." He purposed to make no innovations, but first "to settle an uniform order through the whole Church, secondly, to plant unity for the suppressing of Papistes and enemies to Religion; thirdly, to amend abuses." He was now ready

[1] Barlow, p. 19. The Puritan accounts asserted that the Bishops fought hard and yielded only after long hours of debate and much pressure from the Privy Council. "The bishops brought forth many Popish arguments which the King very earnestly answered, and learnedly, more then tenne times calling them Popish arguments, and saide, by those reasons they might prooue Popery." "So two houres were spent before the Bishops woold yeeld yt it was to be amended." Very likely both statements, properly understood, are true, the Bishops were glad to have reform undertaken, but were anxious to settle as many details as possible before the Puritans were heard. The Puritans wrote glowing letters from London into the country after this first day's discourse. They thought that the King had actually decided in their favor. See the letter of January 15, printed in the Appendix.

to hear what the most grave and learned of the "aggreeued" sort had to say upon those points.

The five Puritans kneeling before him, Raignolds as spokesman summed up their grievances under four heads:—(a) "that the Doctrine of the Church might be preserued in Purity according to God's word: (b) that good Pastors might be planted in all Churches to preach the same: (c) that the Church government might be sincerely ministered according to God's word: (d) that the Book of Common Prayer might be fitted to more increase of pietie."[1] In explanation of these general heads, he began with the detailing of objectionable passages in the Thirty-Nine Articles, his main drift being that the present words connoted certain of the beliefs and ceremonies of the pre-reformation Church. These he desired to have omitted, and in the gaps made by these omissions, he asked that the Lambeth Articles of 1595 might be inserted. At this point, Bancroft interrupted him.[2] Kneeling before James, he besought him to hear bishops before he listened to heretics. The Puritans, Dr. Raignolds included, were inconsistent, he asserted, for every one of the men now present had more than once subscribed their belief and assent to the very things which they now declared contrary to God's word. Let *them also* bear well in mind that every word they uttered made them liable to the pains and penalties of præmunire. Nor was their aim at all as pacific as they pretended: they desired not reformation, but the "utter overthrowe of the orders of the Church." Although he thought the Bishop's passion just, observed James judicially, he disliked the interruption, for, if neither side would allow the other to expound its views, the disputation would end in nothing. But he allowed Bancroft to proceed, who, with his keen controversial skill, went at once to the very root of the matter which the suggestions of verbal changes made by Raignolds really masked. The latter's real aim, he showed, was the inclusion of the doctrine of predestination in such a form

[1] Barlow, p. 23. Highly dissatisfied with their defeat in the general assembly of the ministers, the radicals, led by Hildersham, Egerton, and Fleetwood, drew up and signed (about 30 men in all) ten demands which they delivered to the five Puritan delegates. It is more than probable that this was the paper Raignolds used when he demanded the establishment of the Classes. Notes by Morrice, in Morrice MSS. G. f. 541. It is interesting and significant that Morrice declares that he has no account of the conference except Barlow. This would seem to show that a Puritan answer to Barlow, if made, never became current.

[2] Barlow, p. 26.

that all possibility of losing grace by any sin, however grievous, would be denied—a doctrine wholly contrary to the theology accepted and taught by the Church of England. These men based "all their Religion upon predestination," and made here a claim not for the insertion or omission of a few words possessed of little or no significance, but for the acceptance by the English Church of the full Calvinistic doctrine of predestination, with all its logical consequences. James, well versed from his Scotch upbringing in all the ins and outs of predestination and free will, saw at once that there was no likelihood of a change upon this point. First, approving Bancroft's interpretation of the doctrine of the English Church, he added significantly that he wished predestination "verie tenderly handled." As for the other matters, continued Bancroft, the practice of the Church in some parts of England was in fact as Dr. Raignolds said, but its law was quite otherwise and the Bishops had done their best to enforce it, albeit with only partial success; private baptism had already been reformed at the conference of the Bishops with the King on the previous Saturday. In regard to confirmation, Bancroft again tore the mask from the Puritan claim. What really vexed them was not the wording of the rubric but that they themselves were forbidden to confirm, and that, as established by the Church, confirmation made the Bishop's annual visit an absolute necessity, if any laity were to be admitted into the Christian bond of fellowship. This blocked the Puritan scheme of the Book of Discipline in a very essential point: "this was it that vexed them, that they had not the use thereof in their own hands, every pastor in his parish to confirm, for then it would be accounted (by them) an apostolical institution," and not one to be abolished.[1] Raignolds replied, somewhat confusedly, that perhaps his Lordship was right, but that he thought six hundred churches too many for any bishop to administer well. I have myself, retorted Bancroft, rather sharply, six hundred and nine, and

[1] Barlow, p. 33. Raignold's statement is given more clearly in Harleian MSS. 828. "And then his Majesty required Doctor Reynolds to show how he woold haue it reformed, he answered yt it might well be refered to the seuerall pastors, by whom they are chatecised, to examine and aproue of their fayth, and fitness to proceede further to the communicatinge the supper of the lord. But the King's Majesty here affirmed yt he smelt whereunto yt tended, to make euery one in his cure to be Bishop, which he liked not of, but sayd he woold haue ye pastors of euery place to chatechise them. But the Bishops shoold haue the triall and approuall of them."

think it quite possible to perform the duties well. No bishop, however, persisted Raignolds, could personally assure himself of the fitness of the various candidates presented to him. A thing which was most true, Bancroft agreed, but the local clergy and his own chaplains could perform that duty quite well enough for practical purposes. James said finally that, to his mind, it was not expedient that every pastor should have the power to confirm any one he saw fit, and that he intended that the bishops should continue to confirm members of the Church, ordain ministers, and license preachers.

Perhaps a little abashed at the revelation of the real objection he and his brethren had to confirmation as practiced by the Church, the Puritan spokesman then brought forward some alterations whose "frivolity" provoked much merriment among the assembled company, and once again Bancroft was able to secure the tactical victory by quoting the remark of a French ambassador, that if the French Reformed Churches had been as sensible and conservative as the English Church had been, there would be many more Protestants in France in the year 1604.[1]

Thus rebuffed, Raignolds asked again for the inclusion of the nine Lambeth Articles in the Articles of 1562, and desired a change which would declare that the minister's intentions were not of the essence of the sacrament of the Eucharist. Those Puritan ministers, who had felt conscientious scruples about performing the communion service as contained in the Book of Common Prayer, had been reduced to the position of preachers only, and had been forced to allow some curate of more orthodox faith (whose opinions, of course, they could not approve) to discharge the loftiest of functions. Could they, however, secure an explicit statement, in the Articles of Faith, that the intentions of the clergyman were not of the essence of the sacrament, they could once again administer spiritual comfort to their parishioners with their own hands, according to the legal forms, without endangering their consciences. "As to the worth of intention," quoth James, "if you come hither with a good intention to bee informed and satisfied where you shall find iust cause, the whole worke will sorte to the better effect, but if your Intention be to goe as you came (whatever shall bee sayde) it will proue that the Intention is verie materiall."[2] The Lambeth Articles, the King was told, had been drawn up solely for the

[1] Barlow, p. 38.

[2] Barlow, p. 39.

purpose of settling some theological disputes at the Universities, and were not intended to be a statement of the faith of the Church, and were therefore unworthy of inclusion. James said roundly that he would not have "the booke swell into a volume as bigge as the Bible," stuffed "with all conclusions theological!"

The Puritan next asked for a new catechism and a new translation of the Bible. James acquiesced in the first request, provided that the book should be brief, for he would not have the instruction of the people filled with deep and intricate questions, and provided there should be only one, for, in Scotland whence he came, every son of a good man wrote one, and every parish thought differently on many points in consequence. But a new Bible there should be, for there was no good English Bible. "Surely," he concluded, "if these bee the greatest matters you are grieued with, I neede not haue beene troubled with such importunities and complaintes as haue beene made unto me. Some other more priuate course might haue bene taken for your satisfaction."

Complaint was then made, and was plainly aimed at Bancroft, of the popish and seditious books which had circulated in the realm. The Bishop of London, replied Cecil, the Secretary of State, "had done therein what might be for the suppressing of them," and "he knew no man else had done anything in that kind but he." James added that he would have all the Puritans know, and he hoped that they would inform their friends, that the Bishop of London "was much injured and slaundered in that behalfe, who did nothing therein but by warrant from the Lordes of the Counsell, whereby both a Schisme betwixt them was nourished and also his Maiesties owne cause and Title handled."[1]

Scarcely had Raignolds broached the subject of appointing learned ministers in every parish, than the King interrupted him, saying that he had discussed the topic with the Bishops and found them ready and willing to reform it. No present reformation would be possible, for "he had more learned men in this Realme than hee had sufficient maintenance for: so that maintenance must bee first provided" and then and only then, could a learned ministry be installed.[2] "This insufficiency of the Cleargie," said Andrews, the

[1] Harleian MSS. 828 says that Raignold's complaint was thus misunderstood, and he explained that he referred to certain immoral books imported from the Continent and written by papists.

[2] Barlow, p. 52. Baker MSS. M. m. i. 45, f. 156. The third point was

Bishop of Winchester, "bee as it may, comes not by the Bishops defaultes, but partly by Lay Patrones who present very meane men," and partly by the law which forces the bishop to induct them. Bancroft wished it to be recognised that a praying ministry was as needful as a preaching one, for there were some who believed that the only duty of a minister was "the speaking out of a pulpit, sometimes, God wot, very undiscreetly and unlearnedly."[1] While preaching was a necessary duty, it was by no means the only one of importance, and a homily read by a man who was unable to write a sermon might inculcate very excellent lessons. All of which James highly approved, "very acutely taxing the hypocrisie of our times, which placeth all religion in the ear, through which there is an easy passage."

In the subscription to the Three Articles offered to the clergy upon ordination and induction, the Puritans found a chief stumbling block, declared their spokesman, who enumerated at length the objectionable things to which their assent was thus required—the Apocrypha and many contradictions in the language of the Book of Common Prayer. Knewstubbs, speaking for the first time, inveighed stoutly against the use of the cross in baptism[2] because the brethren were weak as yet. Why, look you, demanded James, how long a time do you need to grow strong? Are not forty-five years sufficient? We ask no subscription from the weak-minded and insane, but from "preachers and ministers, who are not still I trow to be fed with milke, but are enabled to feed others." He thought them strong enough, yea, headstrong; and some of them believed themselves "able to teach him and all the Bishops of the land."

Nettled at the reception accorded to his learned disquisitions, Raignolds begged for the restoration of the prophesies which Grin-

judged impossible, because "ther were not Ministers sufficient to furnishe everie parishe: nor everie parishe able to finde a sufficient minister."

[1] "God forbid, that every man that can take unto himself boldness to speak for an hour together in a Church upon a text should be admitted for a preacher, though he mean never so well. . . . Divers do adventure to handle the words of God which are unfit and unworthy." Spedding, *Life and Letters of Bacon*, III, 119. "Considerations touching the better pacification and edification of the Church of England."

[2] Some of the material used by Andrews at the conference may be in Additional MSS. 28571, f. 201: "Dr. Andrewes collections out of some fathers concerninge the signe of the crosse, 1605."

dal had once sanctioned in Elizabeth's time and for the referring of the points which they could not settle to the Archdeacon's Visitation, and thence to the Episcopal Synod where the Bishop with grave and learned "Presbyteri" could settle questions finally.[1] That demand was nothing more nor less than the keystone of the system for which he had been indirectly pleading all day. The Puritans had asked for the establishment of a Presbyterian Episcopacy. The alterations in the Thirty-Nine Articles would have foisted Calvinism upon the English Church; the various changes in ceremonies would have made them and the ritual sufficiently "pure;" the possession by the individual ministers of the power to admit the laity to the fold of the Church, coupled to disciplinary authority over them, would have made them supreme in their own parishes; and by the "reformation" of the Visitations the hierarchy would have become, in all essentials, Presbyterian. Bancroft had, however, no cause to intervene, though he may have trembled for a moment. The word "Presbyteri" caught James's ear and roused all the latent memories of his Scotch experiences. "This was rightly the presbytery of Scotland," he declared, "wherein John and William and Richard and such like must haue theyr censure and John will giue his vote, as William for he is a godly man, and so all the matter is ordered by simple ignorant men. Whereto sayd Mr. Knewstubbes if it please your Majesty he meaneth a presbitery only of ministers, and not of lay men. To whom sayd his Majesty, I kenne him well enoughe. And when I meane to liue under a presbitery, I will goe into Scotland agayn. . . . Therfore contente yourselues in this matter for I will thinke of this matter 7 yeares before I resolue to admitte of a presbitery, and by yt time happily I may waxe fat, and if then I thinke it behouefull for me to haue any to stirr me up and awaken me, I will then haue a presbitery by me. Till then I will haue the bishops to gouerne the Churche."[2] I will tell you a tale, he went on. Knox and his brother ministers made just such demands and promises in Scotland of my mother that you now make of me, and when they were given control of the Church, and became strong enough to undertake the matters of Reformation themselves, they made small account of the Queen and of her supremacy, and "tooke

[1] This point is more clearly stated in Harleian MSS. 828, than in Barlow, p. 78.
[2] Harleian MSS. 828.

the cause into their owne hand.'' What they did to Queen Mary and what they did during mine own minority, needs no recounting. 'No Bishop, no King,' as before I sayd.'' [1] Then, turning, to Raignolds, he asked if he had anything more to say, and on receiving the answer, ''No,'' rose from his chair and declared, as he left the room, ''if this be all that they haue to say, I shall make them conforme themselues, or I will harrie them out of the land, or else do worse.'' [2]

The Puritans had, in fact, grasped at too much, and lost all. James was at last thoroughly convinced that their aims were hostile to his ecclesiastical authority and the peace of the Church, and that the few minor things for which they ostensibly sued were too trifling to deserve attention. True, he came to his conclusions from reasons which were by no means those Bancroft would have given him. His conviction, like his parting utterance, rested more upon the prejudices with which his early life had imbued him than upon reason of any sort, but Bancroft and Cecil, pleased beyond measure with the conclusion, cared not a jot how he came by it, so long as he maintained it firmly.

It was, then, a vastly different situation on the following Wednesday, January 18: the Puritans as despondent as they had once been hopeful, the Bishops as last secure in the knowledge that the royal support would be theirs. The latter brought with them a long set of articles which the eight prelates who had been absent from Monday's conference had spent the time preparing. When the company, augmented now by the chief ecclesiastical judges, assembled at noon before the King, the Archbishop of Canterbury presented the document as the summary of the changes which were to be made in the Prayer Book. The King looked over the list and approved it. Then he continued that he understood that in the High Commission the membership was too large and the cases too small, most of them being matters which the bishops ought to attend to in their dioceses. Unless the number of Commissioners named in the Patent was large, replied the Archbishop in defence, the Commission could not do efficient work, for so many of its members held other office and high office, that they could not find time to sit regularly, so that most of the time business was perforce con-

[1] From Barlow, p. 80.

[2] Barlow, p. 83.

ducted by himself or the Bishop of London assisted by civil lawyers and doctors of divinity. As for the trial of small cases by the High Commission, they could not be remanded to the bishops for decision, because the bishops were so wanting in authority that they were themselves "forced to crave help at the High Commission." If the delinquent refused to obey the sentence of his bishop or fled out of the diocese, there was no episcopal power in all England to bring him back and punish him. Unless the High Commission could exercise coercive force in such matters, all effective power in the Church would be taken away, and, without coercive authority somewhere, the Church, as it then stood, could not be administered. Apparently James was convinced. Bancroft then came forward with the Three Articles to which the Puritans declined to subscribe. Having perused them, James remarked that subscription was very necessary for the welfare of the Church, and "because the bishop is to aunswere for euery minister whome he admitteth into his Diocesse, it were fittest for him to know the affection of the party before his admittance; the best way to know him and to preuent future factions, was to urge his Subscription at his first entrance." Then appeared the question of the restriction of the oath *ex officio*, which the Lord Chancellor and Lord Treasurer asseverated was most necessary and very properly used. Thus encouraged, James launched forth upon a long discourse of the excellence of the oath and the reason for its maintenance. Whereupon Whitgift exclaimed that undoubtedly he "spake by the speciall assistance of God's spirite." The Bishop of London upon his knee protested that his heart melted within him with joy over God's singular mercy in giving them such a king.[1] The Privy Council vied with the Bishops in their admiration, while the civilians protested that they could not have characterised the oath so succintly, learnedly, and accurately, without many hours of preparation. No wonder that James thought he had at last come to the "Promised Land," and was surrounded with "grave and learned" men! When the laudatory chorus had finally died away, the King directed the Bishops

[1] This incident seems to have historical roots outside of Barlow's account, which might well have been an interpolation. Sir John Harrington was present among the crowd of gentlemen at the back of the Chamber, by Bancroft's express permission. He wrote shortly afterwards: "The Bishops . . . said his Maiestie spoke by the power of inspiration. I wist not what they mean: but the spirit was rather foul mouthede." *Nugæ Antiquæ*, I, 182. (1804)

and the Privy Council to form themselves into committees later in the day for the execution of the points decided upon, and then ordered the Puritan advocates to be admitted.

They came, and, with them, a numerous body of prominent men, thirty-two in all, representing all the more important Puritan centers in England. Of these men, fifteen had been members of the old Classis movement, and fifteen (though not the same) had been actively concerned, to the Government's knowledge, in the collection of signatures to petitions in the previous year.[1] Nothing better shows the real toleration which was being exercised than the admission of such notorious offenders as Egerton, Wilcocks, Jacobs, Erbury, Norden and their ilk to such a gathering as this was. In the midst of this dignified assembly, James had the points read upon which he had decided to take further action, and then exhorted both Bishops and Puritans to strive for unity, and begged each to be diligent in his own place, "without violence on the one party or disobedience on the other." The Puritans he besought to be discreet and to labour "by their example and persuasion" to reconcile their adherents to his decision. To which they gave their unanimous assent.[2] Then, Chaderton, kneeling, requested a little lenience for a few ministers in Lancashire,[3] whom James answered that neither he nor any of the Bishops had any intention of enforcing the law at once, nor at any time without due warning and opportunity for consideration and reply, but he agreed to tolerate those particular men. Bancroft asked him, however, to limit the time of grace allotted to them, lest all England should make the same request as soon as the news of it was bruited abroad. Scarcely had James uttered his assent, than Knewstubbs dropped upon his knees to ask the same privilege for his friends in Suffolk, averring that it would injure their "credit" in the country to be forced at

[1] The full list is given in the *Report on the Beaulieu* MSS. p. 34, and shows that the following number of ministers attended from the shire named: London, 3; Northamptonshire 4; Sussex, 4; Middlesex, 3; Leicestershire and Hampshire, 2 each; and Hereford, Buckinghamshire, Surrey, Wiltshire, Salisbury, Oxford, Lancashire, Kent, and Exeter, one each.

[2] Upon this point all accounts agree and most of them express surprise at the weak arguments adduced by the Puritans; to exact this promise was very likely the purpose of admitting so large a number, hoping that they would be overawed by the combined King and Privy Council, as they would not have been by a single bishop.

[3] These had already been respited several times. See Athuel Smith to Cecil. May 5, 1602. Hatfield MSS. 93, f. 22.

this time to conform.[1] "Sir," replied James with dignity, "you show yourselfe an uncharitable man. . . . You forsooth must preferre the Creditts of a few priuate men before the generall peace of the Church. . . . I will none of that, and therefore eyether let them conform themselues and that shortly or they shall heare of it."

The Bishops and the Privy Council withdrew at once into a private room to appoint the committees James had directed. The Bishops were made a committee upon the catechism, the rubrics of the Prayer Book, the Apocrypha, and the new translation of the Bible; the difficulty about church livings was to be considered at length; a new set of statistics regarding the clergy was to be compiled and shown to the King before the meeting of Parliament already appointed for March; and a letter was to be written to the Bishop of Chester to tolerate the ministers of Lancashire for a short time.[2] For the consideration of the reformation of the High Commission for the Province of Canterbury, and the smaller diocesan Commissions, a special committee of Bishops and Privy Councilors, to be advised by the Chief Justice and the Lord Chancellor, was elected. To them were submitted two new proposals: one to allow the High Commission to employ in its business, as necessity might require, men trained in the civil and common law, without regard to their being members; and another for the devising of some means of coercion which could be given to the ecclesiastical courts in place of excommunication. Had these ideas been adopted, the membership of the High Commission might have been reduced to a comparatively small number and excommunication, as a penalty for contumacy

[1] Barlow, p. 101.

[2] There are several lists of the points decided. Strype printed one (*Whitgift*, II, 501) which he said was in Bancroft's handwriting: of this there are two copies in S. P. Dom. Jac. I, VI, no. 16, the first endorsed "Mr. Windebankes handwriting"; another paper (id, no. 25) with some verbal differences and the addition of one clause, has also two copies. To Galloway's letter in Botfield's *Original Letters*, is appended "A note of such things as shall be reformed," which differs slightly from these in substance and very considerably in arrangement. Dr. Mountague also forwarded a list of points. The lists of Committees are in a "Memoriall of some principall matters to be considered ot by the Lords of the Privy Council and the Lords the Byshopes. . . ." S. P. Dom. Jac. I, VI, no. 18, of which there is another copy in Cotton MSS. Cleopatra F. II, f. 120. The list of the decisions is in Stowe MSS. 164, f. 92, with another copy in Stowe MSS. 119, no. 9. "A briefe note of such matters as were agreed by the Lordes of his Maiesties Counsaile and by the Clergie to be refourmed in ye government of the Church, January 18, 1603."

and for small offences, might have been abolished altogether. Another committee of bishops, deans, civilians, and common lawyers was to devise some better way than at present existed for checking the spread of seditious books, while still other committees took charge of the propagation of the Gospel in Wales, Scotland, and Ireland, matters upon which James laid great stress at this time, but which he speedily found impracticable.

Of the Conference proper, these committees for the further consideration of certain specific questions were the only tangible and direct results, and from their reports, not from decisions made during the Conference itself, proceeded the action taken by the Government throughout the following year. Moreover, the points which they considered, emanated from the discussions of the first and third days between the King and the Bishops, not from the debate with the Puritan champions on the second day. James had been investigating the subject of church reform, in his grandiloquent but superficial way, and finding the Bishops able to satisfy his personal scruples and very ready to proceed with the reform of the Establishment, he was already half convinced before the Puritans opened their mouths, that they could allege very little of importance. On the whole, James was right. Upon Church reform the Puritans had said very little, although upon the transformation of Episcopacy into Presbyterianism they had said a great deal and said it well. The issue had been squarely placed before the King—Episcopacy or Presbyterianism—and James merely reiterated his statement which he had solemnly made many times since his arrival in England, that he had no intention of changing the Church as he found it on his accession. The negative result of the conference was, therefore, exceedingly important: it decided that the Book of Discipline was not to be practiced in England and it offered to the Puritans the alternative either of conforming or of leaving the Church altogether. The Church was to be reorganized, not transformed, and there was to be no more toleration of nonconformity.

The significance of the Conference has, perhaps, been overestimated, chiefly from the difficulty of seeing past history in any other light than through our own prepossessions. Those who approached the subject with the conviction that Puritanism would have done more for the welfare of England than has the Established Church, have naturally concluded that the refusal of the Puritan demands

in January, 1604, was a great error of judgment in James and Bancroft. Churchmen, led by their own beliefs, have naturally applauded the decision, though bewailing the manner in which it was obtained. Yet it must be admitted by a candid student that the Puritan view is a necessary corollary from two propositions which do not seem to be supported by evidence,—first that the Puritans comprised a very large section of the learned and pious of the English clergy supported by a proportionally large section of the laity,[1] and secondly, that their demands were small things, matters indifferent,[2] which any one who was not obstinate and a persecutor by nature would have willingly granted. With them, should be named a third, that the refusal of their demands and the enforcement of the law actually drove out of the Church a great proportion of its best and most learned men. While it must be conceded readily by every student that the Puritans were, in the main, pious and had amongst them a number of men of considerable attainments and one or two of really profound learning, it is difficult to maintain, in the face of the evidence, that they formed either a large proportion of the clergy or included the best and most learned of it. Clearly, their temporal following cannot have been great, and their demands, far from being minute and insignificant, stretched to the overthrow of Episcopacy. Couple these facts with the general approval which the vast majority of the laity were beginning to demonstrate toward the Church, and the attitude of Bancroft, like the action of James, becomes prudent and sagacious statesmanship based upon a careful investigation of the situation. Their reading of the problem was, on the whole, confirmed, because few Puritans left the Church, and because to the present day, the majority of the English people has never wavered in its steadfast allegiance to the settlement of the Church as Bancroft left it. Speculations, as to what should have been or might have been, have

[1] "Men whose fame for learning and piety was unsurpassed by that of any Bishop on the bench, had been treated with cool contempt by men who were prepared to use their wit to defend every abuse and to hinder all reform." Gardiner, *History of England*, I, 158.

[2] "Many a man who cared nothing for minute points of doctrine and ritual" would sympathise with the Puritans. (id.) "What he (James) was called upon to decide was whether, without taking into consideration the value of the opinions held by either party, these opinions were of sufficient importance to make it necessary to close the mouths of earnest and pious preachers." Gardiner, I, 155.

usually little reference to historical fact, and are ordinarily only a reflection of the writer's own prepossessions, which, however interesting or stimulating, cannot be treated as possessing more than temporary value. Still, James's blunder in calling the Conference at all, innocuous as it was at the time, has, more than any other one thing in his long reign, caused posterity to censure him for bigotry, for intolerance, and for the inability to perceive the striking facts and events that were under his very eyes.

CHAPTER III

CONSTITUTIONAL RECONSTRUCTION—1604

In 1604, the welfare of the English Church demanded, both for the present and the future, three things: the codification of the Canons, Articles and Ordinances then in force; the provision of adequate ecclesiastical incomes; and the enforcing of conformity. The first would answer the swelling murmur among the Puritans that "it is now high time for them to declare to the world by what aucthoritie they doe these thinges and noe longer to hold us in suspense with generall termes of justification."[1] The second would remedy pluralities and nonresidence, and make possible a learned clergy so far as so deep seated an evil could be reached by any single reform at one time. The last would once more restore vigour to the old administrative fabric and render the work of maintaining peace and order less difficult in the future. In this golden year, 1604, the English Church, as Englishmen now know it, came into definite being.

On the last day of the Hampton Court Conference, January 18, 1604, the execution of the details of the changes determined upon was referred to various committees of the bishops and the Privy Council. The latter, however, left to the bishops the consideration and preparation of the exact form which the new enactments were to take. The bishops, in turn, referred those questions to their leader, Richard Bancroft. Technically, the King would promulgate his decision by and with the advice of the Privy Council, but inasmuch as the Council accepted the suggestions of the clergy, and the clergy ratified the conclusions of Bancroft, Whitgift, and perhaps a few others, the result was precisely the same as if the latter had done it alone. Verbal changes were indicated by the King and were, of course, incorporated into the body of the work. The

[1] Baker MSS. M. m. 1. 51, f. 105. The Puritan leaders before the Hampton Court Conference included in their platform a request to have the Canons revised and "the rest publicly and openly set forth that we may know what laws we are bound to obey." *Report on the Beaulieu MSS.* p. 33.

proclamations smack very decidedly of James's own volubility but the chief work was none the less performed by Bancroft and a few aids. Who these men were, upon whom fell the duty of actually draughting the documents which embody the present constitution of the English Church, is not definitely known. Certainly, amidst his multifarious duties in Parliament and Convocation, Bancroft can have done little more than direct, supervise, and above all, initiate. Probably the bulk of the work was performed by John Cowell, Sir Thomas Ridley, and Sir Edward Stanhope. All three were men of ability and learning and all were Bancroft's protégés. Cowell he had encouraged in the study of the civil law, and had, by his influence, secured his appointment as Regius Professor of Civil Law at Cambridge, as Master of Trinity Hall, and as Vice Chancellor of the University. Ridley had taken many degrees and had very likely studied abroad, had been Head Master of Eton, and Fellow of King's College, Cambridge, besides sitting in Parliament in 1586-7 and in 1601. Stanhope, too, had a scholastic record of eminence, having been a Fellow of Trinity College, Cambridge, during Bancroft's university career. Then, becoming a prebendary at York, he had for some time thought of following the Church as a profession but had soon changed it for the law. It was, however, in the High Commission, in the ferreting out of the Marprelatists and Classes that he and Bancroft had first become well acquainted. Next, he had held administrative positions in the See of London during Aylmer's time, and Bancroft made him his Chancellor when he became Bishop, valuing highly his great knowledge of administrative detail and his organising capacity. To him was entrusted in the following year the execution of the details of reorganisation. Cowell and Ridley were later the forensic champions of the Church in defence of Bancroft's legal measures in the battle with the common law.

James had directed certain of the High Commissioners to draw up a list of changes which ought to be introduced into the Book of Common Prayer—a most interesting return to one of the earliest functions of that body as dogmatic adviser to the Crown. The bishops named had been expeditious, and, on February 9, appeared a Letters Patent[1] authorising them to print the Book with the

[1] Patent Roll, I, Jac. I, part 5. Printed with modernised spelling and some minor errors in Wilkins, *Concilia*, and in Cardwell's *Conferences*.

alterations specified in the Patent; which being duly accomplished, a proclamation of March 5[1] required every true subject to conform to it "as the only public form of serving God established and allowed to be in this realm." The King recounted his great pains for settling religion at the Hampton Court Conference, where he had "found mighty and vehement informations supported with so weak and slender proofs, as it appeared to us and our council, that there was no cause, why any change should have been at all in that which was most impugned, the Book of Common Prayer." "Last of all, we do admonish all men, that hereafter they shall not expect nor attempt any further alteration in the common and publick form of God's service, from this which is now established. . . . The steadfast maintaining of things by good advice established is the weal of all commonwealths." Here then, was the policy of the new reign, and after so much reiteration of this statement as James had made since he arrived in England, no one could doubt the royal firmness of mind. But if the King expected to be obeyed because of his "much speaking," he was quite deceived.

The last two weeks of February, 1604, were spent in discussion and conference over the state of the Church. On Saturday, February 25, a great meeting of ecclesiastics and statesmen was held at Fulham and on the next morning, Whitgift and Bancroft were closeted with the King for hours.[2] A few days later, the old Archbishop passed away (February 29) muttering with his dying breath—"*pro ecclesia dei,*" "*pro ecclesia dei!*" Such, indeed, had been Whitgift's aim. He had, however, been like a man fighting in the dark with a sword whose length he did not know. By temperament and training a scholar and theologian, he had been hurried from the University into the midst of complex administrative problems with which experience had not fitted him to cope. Until

[1] The Official printed copy is in the *Proclamation Book*, p. 64, at the Record Office. Reprinted in many places, as Cardwell's *Annals*, II, 76; Strype, *Whitgift*, II, 520; Wilkins, *Concilia*, IV, 376, etc. etc. "Notes of my lo: of London for a proclamation about the disorders of the Church" is in S. P. Dom. Jac. I, Addenda, xxxvi, no. 54 (badly torn). One sentence is interesting: "that they (Puritans) might not flatter themselves with any expectation of prevayling (in) their seditious courses att the next session of Parliament." This may be the "Heads for a proclamation concerninge the book of Common Prayer," which Bancroft forwarded to Lake on February 29, 1603-4, from Lambeth, just after Whitgift's death. S. P. Dom. Jac. I, VI, no. 83. See also no. 27.

[2] Paul's *Life of Whitgift*, (printed in Wordsworth's *Ecclesiastical Biography*) 398. Paul was Whitgift's confidential servant.

Bancroft had discovered the Puritan secret, life had been a burden to him; until the High Commission had been transformed, the daily administration of the Church had been a serious problem. The Church however had much for which to thank Whitgift: his contributions to her theology were large and of great importance, his care for her welfare had been constant, his watchfulness untiring.

Soon after Whitgift's death, the bishops met again.[1] "The chiefest drifte which this Consultacon aymeth att is: how every parishe may afforde a competent mayntenance for a preacher. ffor that once effected, in shorte tyme there would be able ministers almost for every parishe in England."[2] First, in order, came the remedy for preventing the induction into office of non-preachers, so as to hinder as much as possible the increase of the ignorant clergy. The desideratum here was a strengthening of the bishops' hands so as to make lawful "for the B. to reiect him and uppon any Quare impedit brought, the Bs certificate thereof to the Judges may suffice without further triall by any course at the temporal lawe." The bishop must have full discretion in the rejection of candidates for institution. The increase of incomes presented a more difficult problem because scarcely any two were inadequate from precisely the same reasons, but for most difficulties the panacea, to Bancroft's mind, was clear. "There are many Personages and vicaredges in England now scarce able to finde a Reader which woulde afforde a competent livinge for a Preacher, if it might be provided for by Acte of Parliament that all Vicars, and persons havinge benefices with cure of soules, might haue the

[1] The record of their discussions is in Additional MSS. 28571, f. 187-192. "The Bishops proceedings and opinions touching those things which were comitted to theire consideracon." A mention of the "late" Archbishop fixes the date as later than March I, while other internal evidence makes us almost positive that it took place before the meeting of Parliament of March 19.

[2] Bancroft had long seen this fact. In his *Answer to the Abstract*, (1585), "This Church and the godlie gouernors therein doo disallowe an ignorant ministerie, and doo with all their harts wish it were possible (rebus sic stantibus) that euerie parish had a sufficient and able preacher. . . . For the issue ought to have beene to this of like effect . . . whether it be expedient, that all the parishes in England either not able to susteine such a learned minister or for the scarsitie of such so well qualified, not able to procure one, should be destitute of publicke praier and administration of sacraments, till such a preacher be procured unto them, or no." See also his discourse on the *Bill and the Book*. Cecil also says this: S. P. Dom. Jac. I, XII, no. 28. January 24, 1604-5.

tithes payed unto them in kinde accordinge to the auncient ecclesiasticall constitutions of the churche, notwithstandinge any custome, priviledge, or composition to the contrary." If, then, the living was too small, let another be united to it. In cities and in towns, let the people pay a tithe of their house rents as was the practice in London, and where the benefices were still too small, two must be united. Where the benefice was impropriate, the difficulty could be relieved, "if the B(ishop) of the diocese might have authoritie by acte of Parliament to allot to euery such vicar or stipendary, congruam portionem out of the impropriations." But the seriousness of the situation can be appreciated only in the light of the solemn statement that "if all the Benefices with cure in England were divided in 6 partes, 5 of them and more are of laymen's patronages, whereby many of the said Benefices are made unable through the Patron's greediness to mainteyne a Preacher in any honest sorte." To remedy therefore this great and fundamental evil, which was clearly caused by no one class of men, and by no single circumstance, the remedy proposed was the sweeping away of those commutations which were not supported by documentary or other adequate evidence, and the diminution of the income received by the laity and higher clergy from impropriations.[1] While the scheme was certain to work the greatest injustice in some cases, it was equally true that any remedy whatever would wrong some one, and the maintenance of things as they were would be the greatest iniquity of all.

Other proposals had been made which took their stations somewhere between the complete restoration of tithing in kind and the retention of the present incomes undisturbed. In regard to these, the clergy insisted that half way measures were impossible of execution, not only because the diversity of present practice made any general scheme that was not sweeping quite inapplicable to a great many parishes, but chiefly because the administration of a complicated settlement would be too costly, too difficult, and too lengthy an undertaking. A favourite project had been the purchase of all the impropriations out of a fund. But whence was to come this fund? The Puritans would have supplied it out of the episco-

[1] The length and breadth of this exceedingly difficult issue with its legal perplexities will be fully elucidated in a later chapter.

pal and cathedral incomes;[1] most of the bishops would have favoured a general tax imposed by Parliament, paid year by year in instalments, so that at the end of a period of years, the great majority would have been purchased and restored to the parson of the benefice;[2] the King, urged by Galloway and the Puritans, had contemplated resigning all the royal impropriations and compelling the Universities to do the like. In all these lurked a rank injustice to some one. To strip the bishoprics and cathedrals would have been to exalt the lesser clergy and reduce the higher to a nullity, a project (as we shall see) very pleasant for the Puritans to contemplate. To tax the whole realm, and force those, who had already paid their full tithes, to pay tithes to the other more fortunate impropriators, evidently could not be sustained. On the other hand, James drew back in alarm from Galloway's proposition when he found how poor the Crown was, how large a sum accrued from impropriations, and that the colleges would have been reduced to absolute beggary.

There were, however, other problems as serious as that of ecclesiastical incomes and the maintenance of a learned and resident ministry. The Puritans had insisted upon the restriction of the powers of the High Commission, of the use of the oath *ex officio*, and of the frequency of excommunication. They well knew what it was they asked. These were the only coercive weapons the Church had, and, if it might not employ them freely, its orders

[1] *The Report on the Beaulieu MSS.* p. 32, and the Millenary Petition. The latter, however, proposed to make up any deficiency by taking one-sixth of the lay impropriations. The tracts of Jacobs and Johnson, the Separatist, who had some controversy over the point, abound in radical suggestions. Said Johnson, "The Queen may take for her own civil uses the Lordships and possessions of the Prelates and other Clergy. . . . The Brownists would have these idolatrous livings returned to the Commonwealth, . . . but our forward Puritan ministers that wish the prelates down and their livings taken from them, would gladly have them for their own use. As you (Jacobs) have pleaded for them, I fear they hold it no better than sacrilege if they be otherwise employed." According to a *Lamentable Complaint of the Communaltie*, the ministers hinted, though vaguely, at the restoration of all lay impropriations to the clergy. The Puritans were no more agreed on the solution than were bishops and statesmen.

[2] The "equallest way" is "that the whole commonwealth did buye all impropriations to the use of the Church by means of some generall taxes and subsidies," out of which the owners should be paid at the rate of eight or ten years' purchase. Hist. MSS. Com. *Report on the Rutland Papers.* IV, 213, undated. (1905) See also an interesting paper in Petyt MSS. 538. 38, f. 157. "Howe those places that haue not sufficiente maintenance for able men to execute the function of preachinge may in some parte bee made more sufficiente with some comoditie to the reuenue of the crowne

would have nothing more than a moral sanction. Without the High Commission, outward conformity could hardly be sustained; the oath *ex officio* was the central point of the ecclesiastical procedure, and if the culprit were no longer to take it, the whole procedure established for centuries upon the compulsory acceptance of the oath would be worse than useless; excommunication was the only penalty the regular church courts possessed against either clergy or laity, their sole method of enforcing a sentence or punishing contempt. Take away the High Commission and excommunication, and the ecclesiastical law would have been indeed "a carcase without a soule," and the Church, as an institution, would have been moribund. Like pluralities, they were necessary evils.

The bishops, however, cared little about the letter of authority and much about its substance. They were quite willing to shear away some of the powers of the High Commission to make it a court for high criminal cases and extraordinary ecclesiastical actions only, if in return, the other ecclesiastical courts could be allowed to impose fine and imprisonment for obstinacy and contumacy and collect the one and to execute the other by their own officers. But if this was not thought "convenient," they were willing to lengthen the time preceding excommunication for contumacy, hedge it round with precautions, and, in the case of the laity, compel the judge to act in concert with a "grave minister," and, in the case of the clergy, with two such grave ministers. Moreover, where the crime had been great, the bishop himself assisted by the dean and prebends or by some three or four "suche grave preachers as the Bishop shall thinke fit to call unto him," should be the sole authority empowered to excommunicate. This was going a long way to meet the Puritan demands and there is no doubt that not one of the bishops would have conceded so much, had not the King clung pertinaciously to the point on the first day of the Hampton Court Conference.[1] They had judged it best to yield and so had incor-

of this Realme and yet no man wronged." And also in S. P. Dom. Eliz. 77, f. 71, undated, but dated by the Editor of the Calendar at least ten or more years too early, a draft of a bill for the relief of "vicars lacking needful sustentation in their cures whereof the rectories are impropriate." The subject was by no means a new one in 1604.

[1] The list of points decided upon at the Conference, as printed by Strype, *Whitgift*, II, 501, reads: "The jurisdiction of the Bishops shall be somewhat limited and to have either the Dean and Chapter or some grav Minister assistant to them in ordination, suspension, degradation, etc." Galloway wrote in substance the same. Barlow does not mention this.

porated the proposal in their recommendation to the Council, but it never proceeded further.

Such, then, was the episcopal plan of reorganisation on these most important matters: the restoration of tithing in kind wherever the benefice was not impropriate, and, in the latter contingency, the diminution of the patron's income; the relinquishing of the High Commission's powers as an administrative organ of ordinary ecclesiastical life; and the curtailing of excommunication in return for the conferring of additional and adequate authority upon the bishops and the ordinary ecclesiastical courts.

The Parliament of 1604 was awaited by all parties with expectation and even with apprehension. Whitgift was said to have expressed a wish that he might not live to see it meet.[1] Indeed, the bishops had good cause to be anxious, for the crucial points in their programme of reform could be effectively established only with Parliamentary sanction.[2] So far as the past told anything, it presaged defeat for the Church: no House of Commons had yet failed to oppose, with entire unanimity, every proposal hinting at the restoration to the clergy of a part of the impropriations; no House of Commons had failed to contain members ready to bring forward the Presbyterian scheme couched in bills which asked ostensibly for the reformation of minor points in the Church fabric.[3] It was already known that the Puritans were looking with hopeful eyes toward Parliament, and had done their best to secure the return of members who, whatever might be their attitude toward the Puritans, would at least disapprove of the episcopal programme.[4]

[1] Barlow in the preface to *Summe and Substance of the Conference.*

[2] Mountague's letter on the Conference says, "So they ended these matters till the Parliament, and then these matters shall be enacted." A long and remarkable list of "Acts against the next Parliament" (S. P. Dom. Jac. I, VI, no. 99) enumerates: "Acte for the fourming of certaine points in the book of comon prayer and the rytes and ceremonyes of the Church and the establishment of a learned ministry": "An Acte for the more reuerent use of excommunication, geuing the ecclesiasticall courtes another process in lieu thereof"; "An Acte against pluralities of benefices and non-residences." Possibly these were the results of the bishops' debates in committee.

[3] The most striking examples are: "An Acte for furnishinge of benefices with sufficient and able ministers," (1597 ?) Petyt MSS. 538. 38, f. 201, draft, corrected: "Bil for prouision for the learned and removing of the unlearned ministers," (1601 ?) S. P. Dom. Eliz. 282, no. 59. All these were in substance revived in 1604.

[4] Egerton had sent down from London in the past summer these directions to the Puritan clergy: "As much as in us lyeth good men are to be encouraged to accept places in Parliament, which (I heare) Papistes doe labour for." Sloane MSS. 271, f. 20 b.

All the great Puritan gentry had secured seats [1]—the Knightleys who had sheltered the Marprelate press; Francis Hastings and Edwin Sandys, who had written in favour of the Puritans; Sir Robert Rich, later the Puritan Earl of Warwick; Sir Edward Mountague, Sir Robert Wroth, Sir Robert Wingfield and others, who had all supported many of the Classis ministers either as private chaplains or by presenting them to the numerous benefices they controlled. These men were the backbone of the movement, thought Cecil and Bancroft, and, without their encouragement, the ministers would have displayed little perseverance. What they lacked in numbers, they supplied by influence, family alliance, and wealth: what they lacked in wisdom, they replaced by that perfect enthusiasm which springs from half comprehension: what the ministers had been unable to accomplish by pleading, these men might achieve through the power of Parliament. But Bancroft, Cecil, and James believed firmly that not one of them was actuated by disinterested motives. It was the extension of family influence in the county, the pursuit of "popularity," [2] the hope of sharing amongst them the spoils of the transformed Church, that had thrust them, one and all, into the enterprise. And precisely to that extent, were they dangerous opponents, for from those ends, argument, expostulation, and fair words rarely turn a man. That there may have been little truth in the charge does not alter the fact that the belief strongly influenced the attitude of the King and his councilors. In fact, it is not the truth, but what well informed and influential men seriously believe to be the truth, that has been a power in history. In their turn, the gentry were quite as disposed to be suspicious of the King and his motives. Since the dissolution of the monasteries, no measure had been so certain of disapproval as the proposal to restore any part, however small, of the former property of the Establishment. James had countenanced the scheme in his letter to the Universities, Bancroft had espoused it in Council, and the news soon spread that the Church was to be enriched at the expense of the laity.

In this frame of mind, both Parliament and Convocation met

[1] Sir Richard Knightley to Sir Edward Mountague, (*Report on Beaulieu* MSS. 32.) Understanding that he was to be a knight of the shire "with no repugnant voices," he begged that his own son might be the other knight. Morrice gives the number of Puritan gentry in this Parliament as forty-eight. (Morrice MSS. G. f. 549.)

[2] At this time the word was equivalent to "demagogism."

toward the middle of March.[1] But the death of Whitgift having invalidated the powers of the latter, and the excitement over Goodwin's Case occupying the House of Commons, the consideration of religious matters was postponed till the middle of April. Convocation had met and organised under the authority of a royal letter to Bancroft and the Dean and Chapter of St. Paul's[2] and when, on April 12, the new license to treat and discuss religious affairs was issued to Bancroft as Bishop of London,[3] the business of the session commenced. Hardly was the revision of the Canons well under way than certain Puritan ministers presented to the bishops a petition whose language could not fail to defeat its purpose. While they besought them to beg the King to "furnish the Church with sufficient and faithfull ministers and maintenaunce for them," they also wished him to "ease it of courtes and censures Ecclesiasticall wherewith your Lordships well knowe the land (of longe tyme) hath beene greived." They then enumerated the old list of grievances and asked their removal. But not a syllable betrayed that the writers were aware that these demands had ever been made before, still less that they had often been refused, and nowhere did they show any consciousness that the bishops could refuse the petition from any motive except blindness to existing conditions or a lack of desire to remedy what they knew to be abuses. The history of the previous years was completely ignored: the real difficulties

[1] The Puritan clergy sent up delegates to look after the general interests. "Item, that there be 2 ministers chosen for Northamptonshire to prosecute these causes at the Parliament, by common advice and consent, their places supplyed, their charges borne. That supplication be made by the ministers to the Knightes and Burgesses of this shire to request and charge them to stand and further Reformation everyeway so farre as god hath given them light, as the dumbe ministerye, non-residencye, commissaries, courtes, etc. That the ministers of Northamptonshire doe charge the Bishop whosoever be clarkes of the convocation that they haue god before their eies, and not to strive against their consciences to maintayne knowen corruptions." Sloane MSS. 271, f. 21. The action was taken in a conference of ministers, July 21, 1603. In the third dialogue of *Puritan-Papisme* (1605) is a dialogue between a Protestant and a Puritan minister on his way to Parliament.

[2] Our chief authority for this session of Convocation is the Notes of Milo Smith, Bishop of St. Asaph, printed in Wilkins, *Concilia*, IV, 378. Strype gives a list of notes from the actual Register (*Annals*, IV, 552) which is valuable because of the loss of the original. Both of these accounts are brief and unsatisfactory. See also Joyce, *England's Sacred Synods*. (London, 1855.)

[3] Patent Roll, 2 Jac. I, part 25. April 12, 1604. Smith's Notes give April 13 as the day on which it was read to Convocation, which has sometimes been erroneously given as the date of the Patent itself. The Patent is printed in Prothero, *Select Documents*, 417.

confronting the Church were passed over: far from asking favours, they were demanding rights.[1]

With his accustomed energy, Bancroft forced the hand of the Puritan leaders in the House of Commons, for, before they had acted at all, he secured the appointment by Convocation of a committee to convey to the House of Commons the grievances of the clergy against the laity, and to hear such complaints as they might like to make in return.[2] This was a diplomatic movement, but the Bishop had found a worthy antagonist. On April 16, Sir Francis Hastings moved, in the House of Commons, for the appointment of a select committee to consider "the Confirmation and reëstablishing of Religion now established in this Kingdom, also of the settling, increasing, maintaining and continuing of a learned ministry."[3] There is little doubt that nothing was said about the committee already appointed by Convocation. This motion having been duly registered, the Speaker informed the House that the King had heard of their desire to consider religious matters, and wished them to confer with Convocation, to which he had especially entrusted the subject. After debate, the House decided that there was no precedent for conferring with Convocation, but that they were willing to consult with the bishops as Lords of Parliament. Next day came another royal message, to the effect that "in some things the Convocation may have assistance from this House. That they would first strive truly to discern what the abuses are and then proceed to reform." On learning of this, Bancroft no doubt sought the King in great perturbance, explaining that he had practically admitted that the Commons had a right to decide religious questions, a right, which, on the contrary, rested solely with the King, by and with the advice of the clergy. All of which was so true under the Henrician statutes, that James on the morrow sent a third message declaring "that touching those matters he had given Power by his Letters Patents to the members of the Convocation House to debate, consider and determine: that his Majesty would make no new precedents, would protect us in that we have, and not subject us to any other." James had thus needlessly raised

[1] Sloane MSS. 271, f. 27, a. Copy dated April 4, which has been struck out and April 24 put after it. The latter seems better.

[2] Smith's Notes.

[3] *Commons Journals*, I, 172. Detailed page references have not been given, as the date affords an even better indication of the whereabouts of the entry.

another issue which he was to find it hard to down. The two houses agreed to confer, but the bishops secured time by postponing the conference on one excuse after another.

On May 2, Bancroft delivered to Ravis, the prolocutor of Convocation, the draft of the new Canons upon which he and his aids, Cowell, Ridley, and Stanhope, had been at work for the last three months or more.[1] That very day, a number of Puritan ministers of the radical wing, headed by Egerton and Fleetwood, presented to the Lower House of Convocation a petition for the reform of the new Book of Common Prayer, upon which the printer's ink as yet was scarcely dry. Bancroft and others admonished them to accept it before June 24, as directed by the late proclamation, explaining very likely that, having been already reformed, it was not one of the subjects which the King had allowed Convocation to consider.[2] May 5, accordingly, brought from the disappointed Puritan party a radical declaration in the House of Commons, asking for the revision of the Thirty-Nine Articles, which so alarmed James that he at once wrote to Bancroft commanding the Convocation to reaffirm those Articles as they had been issued in 1571.[3] In a solemn session of that dignified body on May 18, an engrossed copy of the Articles was signed by all the bishops with much parade and ceremony, and delivered to Bancroft to preserve.

The Puritans were far from satisfied with the progress made by the Parliamentary opposition. The expected conference with the

[1] That the statesmen had left the framing of the Canons wholly to the ecclesiastics is proved by a letter of Cecil to Lake, January 24, 1604-5. The Bishops are able to manage the deprivation of the ministers "to best purpose and so would be if the people did conceiue yt the Bishops were the nounes substantives, which, if they be not, I would the Canons had beene better considered then to depend upon their judgments in the constitution of them." S. P. Dom. Jac. I, XII, no. 28. The Puritans declared, in 1606, that "One of the Bishops hath affirmed in open place, that he and two or three more made the Canons." *Dialogue between an Old Protestant and a new Formalist,* p. 56.

[2] Some writers have declared that the bishops' treatment of these petitioners was contemptuous and insulting. In truth, there is no direct evidence to show what it was. The situation explained by the text must make it clear that Convocation had no choice whether to accept or reject such a petition.

[3] "A minute for a lettre to the B. of London, president of the Convocation." S. P. Dom. Jac. I, VIII, no. 28. Endorsed, "May 16, 1604." The Hampton Court Conference had decided that the Articles of Religion should be "Explained and enlarged." Probably Bancroft was at the bottom of this sudden determination to reaffirm them as they stood, and the demand in the Commons was only a convenient pretext for a movement already decided upon. The secret history of the time, however, is very dark, and the evidence unusually scanty.

bishops had been plausibly postponed from week to week by the House of Lords, and meanwhile, inasmuch as they had agreed to await that conference before proceeding themselves, they were accomplishing nothing and Bancroft was rapidly pushing the new Canons through Convocation. Upon the radical ministers, especially, the inaction of the House weighed heavily, and they quite rightly regarded Bancroft as the chief stumbling block in their way. If only he could be discredited, or best of all, removed from office, all would be well with them. Through one means or another, they had found out something of Bancroft's dealing with the Catholics, and especially about his connivance at the printing of books by Watson and others in the last years of Elizabeth's lifetime. Raignolds had hinted at these "seditious practices" at the Hampton Court Conference, and had been quickly silenced by Cecil and by James himself.

What little the Puritans knew, what they suspected but did not know, together with what they hoped was true, was all "stirred up" into a very plausible tale by the same Erbury who had been active in drawing up the Sussex petition six months before, and was set forth in an "information" and a bill accusing Bancroft of high treason. The half a dozen ministers who knew of it procured one Jones, a printer, to present it humbly to the Speaker of the House as he passed through the street in Westminster on May 15.[1] Holding it in his hand, the Speaker entered the House, and informed the members of it, but declared it too scandalous to read. James next saw the bill and promptly took possession of it, knowing very well that it was in substance true, but that Bancroft had been authorised by a warrant of the Privy Council issued by Elizabeth's own order, and had, since James's accession had a similar warrant under the King's sign manual. Jones had been committed by the Speaker; Erbury was at once imprisoned by the Privy Council; and being examined at length, both showed that they knew very little, and stood alone in the matter, so that they were soon released. In truth, what had alarmed the Government was not the presentment of the bill, but that the facts had leaked out. The only result of the incident was a rule of parliamentary procedure that a bill delivered to the Speaker became the secret property of the House

[1] The originals are in S. P. Dom. Jac. I, VIII, no. 21, 22. The examination of Jones is no. 23, and of Erbury, no. 24. See also no. 25. The chief references in the *Commons Journals* are I, 210, 223, 252.

and was not to be given up to King or minister. (May 23) Failing to injure Bancroft's reputation, Ravis, the prolocutor of Convocation was next arrested for debt, but the tools who executed the seizure soon felt the heavy hand of the Privy Council. Nothing in favour of the Puritans resulted from either attempt, which, indeed, merely served to discredit all their previous protestations of peaceful intent and of a willingness to suffer in silence if their demands were refused. Even if the attempts were disapproved by the general party, the rash acts of these few individuals certainly tended to discredit the motives of the whole body.

Meanwhile, certain others of the radicals, spurred on by their misguided enthusiasm, were doing their best in other directions to mar the prospects of the party by demonstrating pretty completely that the erection of Presbyterianism and not simply the reform of the Establishment, was its aim. William Stoughton sent forth a book called *An Assertion for true and Christian Church Policie,* whose very title page wholly laid bare the secrets of the Disciplinarians,[1] for it continued: *wherein also sundrie projectes are set downe how the Discipline by Pastors and Elders may be planted without any derogation to the King's Royal Prerogatiue, any indignitie to the three estates in Parliament or any great alteration of the laudable lawes, Statutes or Customes of the Realme, then may well be made without daunger to the people.* It contained nothing less than the scheme which had been proposed to the Parliament of 1584, ratified by the National Classis Synods in 1587 and 1588, propounded in the Parliament of 1601, hinted at in the Millenary Petition and espoused (with a very thin veil to hide it) by Raignolds at the Hampton Court Conference. When the scheme again appeared in the bills introduced in Parliament later in the session, even James had not the slightest difficulty in recognising it.

[1] Nor was this the only book which made the same statements. Bradshaw published, in 1605, *A Protestation of the Kings Supremacie made in the name of the afflicted Ministers,* which, while fully accepting the royal supremacy, made certain other statements inconsistent with it. "Wee confine and bound all Ecclesiasticall power within the limits onely of one particular Congregation, houldinge that the greatest Ecclesiasticall power ought not to stretch beyond the same. . . . We hould that these Ecclesiasticall Officers being so chosen by the Church or Congregation are to exercise over the said constitution only a spirituall Iurisdiction and power, consistying in a careful oversight of the outward behavior of the members of the Church." The Congregation only should have the power of censure. If this was true, what was the Puritan acceptance of the royal supremacy worth?

Meanwhile, the new Canons were progressing in committee in both Houses of Convocation, in the Lower with rapidity, in the Upper more slowly, for the bishops found much to wrangle about. When the use of the cross in baptism was under discussion on May 23, Rudd, the Bishop of Chester, displayed a moderation and impartiality toward the Puritans which they were far from showing to the bishops.[1] Rudd said, that, for himself, he was not a Puritan and believed the use of the cross a practice of the ancient Church, a lawful and godly observance in the Church of England, and one to which every one should conform. To his mind, the question was not one of right and wrong in a theological sense, but one of expediency. He was afraid there were many who would scruple to accept the usage. What answer should he make, he demanded, to those who argued that the language of Scripture, on which the observance was based, was only figurative; how should he explain why the use was preserved, or why the same end could not be better attained by preaching, And, if, upon argument, they still refused to conform and were deprived, would not their services be missed in a church so ill provided with learned men? Who would succeed them in their benefices, if, as was reported, they were some hundreds strong, and would men fresh from the universities possess that same learning and experience? He wished instruction, and asked these questions from no factious spirit. But he was "silenced" by Bancroft and others, very likely with the assertion that he did not understand the real situation, and believed too much of the gossip that came to his ears.[2]

On the 18th had taken place the long expected conference of the Commons and the bishops. As Bancroft had anticipated, the Articles of Conference, drawn up by the Commons on May 5,[3] had embodied the full Puritan scheme for the indirect introduction of the Book of Discipline. From the Thirty-Nine Articles, those maintaining Episcopacy and the power of the Crown over the

[1] His speech is given in Harleian MSS. 677, f. 41. He has been called a staunch Puritan, but the evidence does not seem to warrant more than the statement in the text. In reality, all he asked, was, "Is this expedient?"

[2] What Bancroft and others replied, we do not know, though the retort has been magnified into rudeness and brutality. "To silence" at that time was equivalent often with "to convince." Harleian MSS. adds that he was "forbidden to reply," which, if true, would apparently count on the other side of the argument.

[3] Given in *Commons Journals*, I, 199. A MSS Copy in Petyt MSS. 538. 38, f. 178 differs considerably in wording.

Church were to be omitted; and to the rest, as "explained, perfected and established," not only the ministers, but all masters of households should be forced to subscribe, after the manner of Geneva, and no contrary doctrine should be permitted to be taught in the realm. Here was subscription with vengeance! Doctrinal Calvinism was to be securely established. Only university graduates or such as should be "approved and allowed to be sufficient to preach and instruct by some testimonial of six preachers of the country where the party dwelleth," were to be admitted to benefices. This project had long been a stalking horse in Parliament,[1] and, in fact, contemplated nothing less than gradually handing over to the Classes the control of the personnel of the clergy and robbing the bishop of all discretion in the admission of candidates. All pluralities were to be rigourously abolished, and benefices not already worth £20 were to be increased "as shall be thought convenient," which left the important part unexplained. "Such faithful ministers as dutifully carry themselves" (and how could such a definition be applied in practice without recourse to the Classes?) should be no more deprived or silenced for nonconformity. They said that there were bills already proposed in the House for the "reformation" of the other grievances: excommunication should be abolished, and the oath *ex officio* should not be pressed. On the whole, the method of ameliorating the ecclesiastical revenues which met most favour was to strip the bishops and cathedrals of their riches and distribute them among the needy parochial clergy. Thus, by the force of circumstances, the bishops would have been reduced to the level of the rest of the clergy, attaining that equality in the ministry which Travers had insisted was its pristine form ordained by the Apostles, while the cathedrals, their incomes gone, would have become little more than prominent churches of a parochial caste. The cathedrals despoiled and pluralities abolished, all the parochial clergy would also be on a level, each with one parish of moderate stipend. Other changes left the bishops and archdeacons only such ministerial duties as a clerk or chairman of a Classis might have performed. The bishop had already been deprived of his discretion in choosing the clergy, which was handed over to a Classis of six ministers. As proposed at Hampton Court, the changes in the Prayer Book would have given each minister the

[1] Petyt MSS. 538. 38. f. 201. (1597); S. P. Dom. Eliz. 282, no. 71. (1601.)

sole power of admitting the laity to the Church by confirmation, and would have invested him also with disciplinary jurisdiction over them. The abolition of excommunication for "small things" and for contumacy would have made the ecclesiastical courts powerless: the punishment of serious cases was to be entrusted to the bishop as one of a committee of seven in which the majority vote should be decisive, thus placing the disciplinary and corrective power in a Classis of ministers with the bishop as permanent chairman. Whatever power was left in the ecclesiastical courts, and all the authority of the High Commission, would vanish with the possibility of refusing the oath.

Such a scheme as this could not be accepted if the Church was to continue to exist. The very keystone of the ecclesiastical structure would have been removed. The Church might be "superstitious," "full of hirelings" and ignorant men, abounding in all sorts of administrative evils and iniquities, but unless it was to be abolished altogether as an institution, no such transformation could be countenanced for an instant. In the breach before the advancing Puritans stood the figure of Richard Bancroft. "I could not but condemn myself," he wrote to James, "if I should not with all my strength and for the preventinge of future mischiefs, stand in the gap which it is sought to be made in the very form and frame of the Church."[1]

Such was the situation and such the true inwardness of the Articles which the House of Commons offered the bishops for discussion on May 18. The conference was little more than an interview, for it took place by royal command before James at Whitehall. The King read the Articles carefully but said little. He declared his unshaken resolution to maintain the Church. He had directed the bishops to reform its constitution; the Lord Chancellor and the law officers were to proceed against the recusants; and the Protestant nonconformists should also submit. He wished bills prepared for the furtherance of all these ends, and also desired a statement of "what the King may do out of his Regal power without Law."[1] The discussion of the Articles with the bishops which followed on May 24, was equally disappointing to the Puritans,

[1] Dalrymple, *Memorials*, I, 23. (Glascow, 1766.)

[1] This is an *ex parte* statement of what James said, filtered through the mind of Hastings and then through that of the Clerk of the House. The King may have said nothing of the kind, though the sentence certainly

and, on the last day of May, Sir Edward Mountague, tired of waiting longer for the episcopal concurrence, introduced two bills which contained the chief points of the Puritan scheme above described—one against pluralities and nonresidence, and the other for a learned ministry.[1]

Perceiving the intention of the House to push matters to a crisis, to attempt to legislate upon religious matters in the face of the royal prohibition, and his license to Convocation, Bancroft secured from Convocation a resolution to the effect, that the bishops should confer no more with the House of Commons on religion, because, inasmuch as that body had no powers whatever to consider the subject, to confer with them upon it was a tacit recognition of a power whose existence the clergy denied.[2] Such a conference prejudiced the liberties of the Church. This vote of Convocation Bancroft read on June 4[3] to the Committee of the Commons, and declared that if the House would not desist from invading the privileges of the clergy by treating of religious affairs, the bishops would appeal to the King. He was here trying the Elizabethan tactics of scouting the claims of the House, but he had already cut the ground from under his own feet by proposing at the opening of the session, a conference between Convocation and the House of Commons. To his own mind there was no inconsistency, for he had invited them to advise Convocation, and he found them legislating themselves on religious matters.

The Commons were, however, in no mood to split hairs. When the committee reported (June 8), great excitement ensued, and

sounds like James.' If "without an act of parliament" be substituted for "without law" the sting is removed, and yet to Hastings they might have seemed synonymous. Here again what we have is not evidence but hearsay.

[1] There seems to be little doubt that this is the "Bill for providing a learned and godly ministry" in S. P. Dom. Jac. I, VIII, no. 66 (dated by the editor June 9, 1604). There are quite a number of bills in the State Papers and the House of Lords MSS. whose titles will fit those mentioned in this and succeeding sessions: but we have nothing but the title by which to identify the paper, and as the same title appears in the *Commons Journal* over and over again between 1601 and 1610, such guesses as we can make are so very approximate that no reliance can be put on them. There were also several bills introduced in the Lords by Bancroft whose titles were very much the same as those of the Puritan bills of the Commons. Most of the dates assigned in the Calendars are very likely wrong.

[2] We have not the exact wording of the vote. This sentence was compounded from the *Commons Journals*, I, 235, and Mountague's Notes in *Report on Beaulieu MSS.* 44.

[3] *Commons Journals*, I, 235, under session of June 8.

many hot and angry speeches were made, most of which the discreet clerk of the House recorded by dots and dashes. Let us examine the authority of the Canons made by the bishops to bind the subject, cried one choleric member: "an Acte of Parliament," quoth a second, "will bind the Matter of Ceremony more than a Convocation Pamphlet;" a third declared that the bishops evidently meant to proceed against the Puritan ministers. The debate waxed warm and soon comprised all the prominent men in the House, and in the end, a committee was appointed to search for precedents which "have warranted or *may* warrant this House to intermeddle with Matters ecclesiastical." To another committee was entrusted the preparation of a petition to the King against the impending deprivation of the ministers.[1] All thought of conference with the Lords was given up, and the various bills in process of enactment were rapidly pushed through their final stages. There were the bills for providing a learned and godly ministry, for the better relief of preachers in towns corporate, against scandalous and unworthy ministers, and for abolishing the penalty of excommunication in small cases, and so on and on. The first of these had declared that no one should hold preferment who had not a degree, but it was no sooner read in the House than attention was called to the fact that it would exclude a considerable part of the Puritan clergy who had no degrees, and therefore the words "or being no graduate" which the committee had struck out, were restored, and the bishop required to accept a certificate of their fitness signed by six learned preachers of the diocese.[2]

Meanwhile, the bills for the increase of ecclesiastical incomes and for the reform of excommunication, as drawn by Bancroft and sent down from the Lords, were shelved with as great an alacrity as the Puritan bills were expedited. Bills for the payment of tithes in kind, and for the payment of personal tithes of eggs, wood, wool and the like, were quietly dropped. One "for a convenient portion to be assigned out of every Impropriation for the maintenance of a preaching minister," was rejected on the first reading, almost without debate. Another for the proper collection of tithes in

[1] *Commons Journals*, I, 235.

[2] *Commons Journals*, I, 233. The sequence of events in Parliament has been a little disregarded for the sake of brevity and compactness.

London was lost on the second reading, while one "for the increase of Livings of Parsons and Vicars" reached the second reading only to be "dashed" on the motion to engross it.

It is very difficult to understand why the Puritan ministers and gentry closed their eyes so obstinately to the fact that the condition of the Church was due not to the bishops or to Episcopacy, but to the agrarian changes, the rise in prices, the crushing weight of taxation which had so reduced ecclesiastical incomes that learned men must be pluralists and the majority of the clergy must of necessity be ignorant. That they knew it, is proved by plenty of documents and letters,[1] and they had certainly been informed times enough. Yet they continued to insist upon the complete abolition of pluralities and nonresidence and upon the introduction of a learned clergy, while, with the very same breath, they rejected unqualifiedly every bill or suggestion that tended to increase the clerical incomes. The Puritan gentry were ready to strip the bishops to their very smocks in order to put coats upon the parish clergy, but not one penny of their own were they willing to give to clothe those needy pastors. Surely, if they had possessed that pure and unselfish interest in the welfare of the Church, which has always been represented as their chief characteristic, the question of a few pounds out of their own pockets would not have stood in the way of reformation. If they controlled Parliament, as is very likely true, they might have attained in 1604 their desire of seeing a learned and resident preacher in every pulpit in England as soon as so many learned men could have been supplied. But that was not their aim. They wanted more than a learned and a resident ministry. The laity and not the Established Church stood in the way of reform in 1604. The only plausible surmise seems to be that the leaders realised that to increase the clerical incomes was

1 "The Bishops have a purpose to prove unto his Maiestie that there are no dumbe ministers in the Lande, but where the Livinge will not mayntayne a preachinge Minister. That there are no non-residentes, but such as are allowed by statute, and that the number of Reformers are under 20. Frame a petition for the removinge of such abuses as most trouble you, as the subscription, the Commissaries Courtes, the Dumbe ministery, pluralities, non Residentes, and with this preamble, yt you desire not it, seekinge to take downe the frame of Bishoprickes, etc. especially sett downe the abuses of the commissaries courtes." Notes of a letter sent from a godly gentleman in the Court. (July, 1603.) Sloane MSS. 271, f. 20 b. They seem to have felt that this petition would be a complete answer to the bishops' argument.

to help the bishops out of their dilemma. If, therefore, they could secure the abolition of pluralities and nonresidence without increasing incomes, and, at the same time, make the induction of degree men compulsory, the position of the bishops would soon be untenable, and all England would see that Episcopacy was a failure, as a method of coping with the situation. When the learned would refuse to enter the Church, as assuredly they must; when the bishops were forced to admit that they could not administer the Church without the help of practices which every sane and impartial observer must admit to be logically indefensible; then the victory of Presbyterianism would be assured, for it would have been shown to be a more practical method of Church government than Episcopacy, as well as more consonant with the Scriptures.

This in truth was the proper method of attacking the Church. The old administration did not work well. So much the Puritans saw with perfect clearness, and therein lay their strongest contention in favour of a radical change of the system. But by insisting in Cartwright's phrase, that "the want of Eldership is the cause of all evil," the Puritans were assailing the wrong end of the problem. Could they have secured control, they would have found themselves hampered precisely as the bishops were. They entirely failed to appreciate that the difficulty did not lie in the names by which the chief officers were called, nor in the lack of warranty in Scripture for Episcopacy, but in the want of coercive force in the whole church fabric outside the High Commission, in the poverty of the clergy, and, above all, in the influence of the laity and of the Queen in ecclesiastical affairs; indeed, in the very factors which made their own existence within the Church possible. Instead therefore of meeting the bishops on Hooker's and Bancroft's plea of expediency, and retorting that Episcopacy ought to be abolished because it was inexpedient and did not work well, they shifted the issue completely and appealed to Scripture and to the Early Church Fathers to prove, not that Episcopacy was a bad form of government, but that it had never been warranted by Scripture or by the practice of the Early Church. Voluntarily they threw away their strongest argument and allowed the bishops to place the burden of proof upon their shoulders. They permitted Bancroft to retort with telling force that Episcopacy had clearly existed for fifteen hundred years, and that, if their Book of Disci-

pline was the only divine scheme, it was very strange that in all those centuries, no one had ever discovered it before, although the world's greatest minds had been poring over those very tomes whence they had extracted it. And, he continued, even if Episcopacy was not the God-given scheme, even if it did not work very well, they had adduced no reasons for supposing that their scheme would work any better. In truth, the Puritans treated such a demand as supererogation. Could the will of God be at any time inexpedient? Above all, admitting that its acceptance might cause some inconvenience at the moment, how could it be inexpedient in the long run? To them, there was no need of so much consideration as to what was expedient. Their scheme, they declared, was demonstrated by Scripture to be the will of God. Was not the will of God to prevail? Was not God omniscient? And yet here were these bishops who did nothing but prate of expediency! Moreover, the Puritans had grafted into their Book of Discipline two ideas, which Bancroft was never tired of pointing out,[1] and which did, as a matter of fact, render the scheme impossible of adoption in England. They had negatived that fundamental connection of Church and State which underlay the whole English Reformation, and had continually declared that the ministers of God's Word should not be directed in ecclesiastical affairs by the magistrate. As if that were not enough, they placed the supreme authority in Classes of ministers, who were to be chosen with the approbation of the people, or by Elders in whose appointment the people at large had a voice.[2] This "reek of popularity," as the men of the time denominated it, was the bugbear of every conservative and peace-loving man, and excited too great a prejudice to be soon overcome. Just as the bishops were not the cause of the evils in the Church, just as neither Bancroft nor any other man could of himself mend the times, so the bishops and Bancroft did not defeat the Puritans.

[1] See particularly the *Bill and Book*, the *Answer to an Abstract*, the *Sermon of* 1588-9, the *Survey*, and at the Hampton Court Conference, in Barlow.

[2] Stoughton, in his *Assertion for true and Christian Church Policie*, (1604) sought to meet this objection and by showing a consciousness of it probably only injured his cause the more. "Especially there is not, neyther euer was, neyther euer can there be any cause for any King or Monarch of England greatly (as the Admonitor insinuateth) to feare, that the common people will very easely transferre the principles and reasons of Aristocracie to the government of the Commonweale: and there upon bee induced to thinke that they haue iniurie, if they haue not as much to do in civill matters as they haue in matters of the Church."

In the long run, the Puritans defeated themselves because they could not analyze and understand the real problem of the Church. Had they represented that great section of the English people, who have been claimed as their adherents, had the evils of which they complained been as trifling and as easy of amendment as they insisted they were, had they and their partisans possessed that disinterestedness, moderation, learning, and piety so often ascribed to them, no man or body of men could have prevented their success. They failed because, on the one hand, they left out of their plan altogether the intimate connection of Church and State which was a fundamental conception of the English Reformation, and because, on the other hand, the plan of reform they proposed not only abolished the old Church instead of reforming it, not only failed to remedy the real evils in its organisation, but set in its place a system which advocated democracy, centuries before the majority of the English people were ready to countenance it. The Puritan laity and not the bishops stood in the way of ecclesiastical reform in 1604, and the Puritan clergy and not the bishops, signed their own death warrant.

The House of Commons, however, explained the situation otherwise to James in the *Apology and Satisfaction* of June 20. They disclaimed any idea of introducing Puritanism or Brownism or any "subversion of the state ecclesiastical." They desired merely peace and unity, to be attained not necessarily by the acceptance of their own inventions, but "by the relinquishment of some few ceremonies of small importance." A reformation of ecclesiastical abuses was desirable, and they begged "lastly, that the land might be furnished with a learned, religious, and godly ministry, for the maintenance of whom we would have granted no small contributions if in these (as we trust) just and religious desires we had found that correspondency from others, which was expected." Bancroft and James, however, had no faith in such protestations, believing that the moderates merely used the radical phraseology to mask their own determined refusal of the schemes for the increase of clerical incomes. And so the Parliament was prorogued: the incomes of the clergy had not been increased: there had been no grant of additional coercive power to the bishops or archdeacons: and Bancroft was left face to face with the problem of accomplishing those two very difficult ends by indirect means.

Few things are more difficult for us to comprehend, who have been brought up to believe that the English Church was established in its present form by Elizabeth, than the great scope of the reconstruction of 1604. In two most important points, Bancroft retained the formularies already established, but only with some difficulty. The Book of Common Prayer, one of the monuments of English literature, was preserved to us practically intact, and the Thirty-Nine Articles were reaffirmed in all their completeness. Could the Puritans have had their way, the beauty of the Service, and especially of the Litany, would have been sadly marred: and the Articles would no longer have counted that famous total. In July went forth Bancroft's letters ordering the new translation of the Bible,[1] which was no small part of his scheme for remodelling the Church. That the inception of the translation was his, is not demonstrable, but certainly without his skilful management, cordial approval, and constant assistance, the translation we have would never have been executed.[2] On July 22, the King wrote to the Bishop of London, ordering him to select the men to execute the translation and to formulate rules for their observance, in addition to some he himself suggested. One week later issued the bishop's letters to the men selected—an example of commendable promptness. Professor Lively of Oxford, the head of the translators and a man of unusual energy, learning, and acumen, was one of Bancroft's protégés, whom he had rescued from dire poverty and distress, and provided with a maintenance for life.[3] Three weeks after, Bancroft wrote to Cowell, the Vice Chancellor of Cambridge, declaring that he had penned so many letters on the subject of the new translation that he could scarcely remember to whom he had

[1] The King's letter to Bancroft ordering the translation is dated July 22, and is in Wilkins, *Concilia*, IV, 407, with Bancroft's letter to the bishops dated July 31. From the MSS., it becomes clear that Bancroft sent out not one, but at least four letters on July 31; first, to the bishops quoting the King's letters ordering them to confer the next vacant benefice worth more than £20, upon the translators; one to the bishops requesting gifts of money to support the translators meanwhile, (both in Baker MSS. M. m. 1. 43, f. 163-165); one to the Vice Chancellor and Heads of Cambridge to summon all the learned men they could (Baker MSS. M. m. 1. 40, f. 349); and lastly, one to the translators ordering them to meet at once, etc. (Lansdowne MSS. 988, f. 296 b.) James's letter to Bancroft is also in Lansdowne MSS. 988, f. 297. Copy.

[2] Anderson, *Annals of the English Bible*, says that Bancroft influenced the translators so as to make the Bible "speak prelatical language."

[3] Playfere, *Nine Sermons*, 218.

written and what he had said. Besides some detailed directions, he forwarded him a learned treatise on the Scriptures which he had found and thought might perhaps aid the translators a little.[1] Previously, on July 16, appeared the new proclamation for conformity to the form of the service of God established by law, which the Bishop had been busy drafting and amending for some days.[2] Later came a new seal for the bishops,[3] the reform of the ecclesiastical courts by the Canons of 1604, a seriously considered project to remodel the High Commission, new Visitation Articles and the reform of the visitatorial organisation, all of which will be treated in their proper places.

On September 6, 1604, the Canons passed by Convocation in June[4] received the royal confirmation, and the most important single part of the reconstruction of the Church under James I was finished. The position these Canons have since held in the Church, their importance in the history of the institution, and the attention they attracted at the time, render necessary a detailed examination of their genesis, formation, and legal effect. Only by such an analysis will the work of reconstruction and its importance become clear to us.

[1] Lansdowne MSS. 988, f. 278, August 30, 1604. Copy. Also in Baker MSS. M. m. 1. 40, f. 353. The Rules and lists of the Translators are printed in Wilkins, *Concilia*, IV, 432, and in many other places. There is a MSS. copy in Additional MSS. 32092, f. 203-204.

[2] Bancroft to Cecil, July 14, 1604, Hatfield MSS. 188, f. 139, holograph. Bancroft to Lake, July 14, S. P. Dom. Jac. I, VIII, no. 106. The proclamation itself is in the printed Proclamation Book at the Record Office, p. 76, also in Wilkins' *Concilia*, IV, p. 406, and elsewhere.

[3] Arabella Stuart, James's cousin, then under guard for fear of her intentions upon the throne, wrote to ask him for a grant of the fees which might arise out of the new seal, "for her better support and maintenance." Hatfield MSS. 134, f. 94, May 2, 1604. This throws an interesting sidelight upon the "canniness" of Arabella's character.

[4] A special license seems to have been given to Convocation for the purpose. Patent Roll, 2 James I, part 15. June 25, 1604. Bancroft evidently did not intend to omit any step that would make his code more firm. The confirmation dated September 6, 1604, is in Patent Roll, 2 Jac. I, part 5.

CHAPTER IV

GENESIS OF THE CANONS OF 1604

The Canons of 1604 were a growth and their genesis lay in the experience of the Episcopate during the reign of Elizabeth, for the bishops' ordinances and regulations rather than the Canons passed by the Convocation were the vital part of the "constitution" of the Church in 1603. What the nominal "constitution" was we have already seen—a long series of fragmentary enactments, which bore no relation to one another, which were often contradictory, and seldom possessed that precision of language essential for laws that were to be administered at periods of change and disorder, upon men of all conditions and opinions seeking to escape the consequences of their wrong doing. Waiving the question of its doubtful legality after Elizabeth's death, such legislation was inadequate even for the purposes of ordinary administration. No complete and well organised code of ecclesiastical law could have been made by the mere rearrangement of such a heterogeneous and amorphous mass of material. Had Bancroft found only this to aid him, the Canons of 1604 would have been indeed creative legislation in the highest sense, for their most vital parts did not come from the older Canons and Articles.

There had grown up in the Church, beside the Canons and other avowed legislative enactments—the product in fact of their inadequacy—a "constitution" which in one sense had no existence, which was composed of regulations meant to be of merely ephemeral character. It was composed of administrative rules and orders which the bishops had issued to supply the deficiencies in the professed legislation of the Church. The constituent parts had not appeared as intentional legislation at all. Yet these temporary makeshifts, altered and amended by the practice of years, stood in 1603 as the most vital part of the "constitution."[1] Of this class were the two

[1] A list of the less well known of these documents has been given in Note A at the end of this chapter.

most considerable codifications issued previous to the Canons of 1604. The Queen's Injunctions of 1559 were a series of regulations arbitrarily imposed upon the Church by royal authority alone and were no doubt meant to be temporary, while the next most important document in view of actual administrative needs, was the Visitation Articles of 1576 which were, in fact, not laws but a series of questions. They nevertheless contained many definitions of doubtful points and many directions which formed the basis of administrative orders in all the dioceses from that date till Elizabeth's death, until, in fact, they were supplanted by Bancroft's legislation. Parker's Advertisements of 1564, which contained most of the law of the Church in 1603 as to ecclesiastical apparel, the forms of subscription required of the clergy at induction, and the provisions for the increase of clerical learning, were all of this same stamp, and yet were of incomparably more importance to the daily administration of the Church and touched the individual clergy and laity far more nearly than did the solemnly enacted Canons of 1585 and 1597.

Thanks to Elizabeth's caution, the Canons, and indeed the Injunctions of 1599, contained a good many ambiguous phrases whose significance was never defined. Nowhere in any document, which can be called by stretch of courtesy legislation, was there to be found a clear definition as to who was a member of the Church and who was not; how a layman might become a communicant; of the exact position of the communion table; of the participation in the service expected of the congregation. Nowhere in the "constitution" appear traces of the real, though futile, attempts for the reform of abuses which Whitgift and Grindal had made.[1] In fact, it is in the forms of subscription and in the other ordinances issued by the bishop on his own authority for some temporary purpose, and continued, enlarged, and amended on account of the exigencies of the situation, that we find the real enactments of the Elizabethan Church on these vital issues. Most of the express legislation was

[1] For instance, the actual administration of the Church during the first few years of Elizabeth's reign seems to have been carried on under the supplementary rules issued for use with the Queen's Injunctions of 1559. Scambler, Bishop of Peterborough, based his first Visitation in 1561 wholly upon them. (Gunton, *History of Peterborough*, 71. (1686).) The Bishop of Rochester took many of his injunctions of 1565, verbatim, from the supplementary rules. See his Register, now at Rochester. "Resolutions concerning Injunctions."

a direct result of these tentative experiments, and, though perhaps new as canon law, was old in the practice of the Church. Out of these temporary local orders grew the Canons of 1604. In fact, to such an extent had the practice been carried that David Black, one of the most influential Scotch ministers, contemptuously declared in 1596, that "the religion that was professed there (in England) was but a show of religion, guided and directed by the Bishop's injunctions."[1]

From the point of view of the student of constitutional development, no part of the administrative constitution, if it may be so termed, is so replete with interest and significance as the history of the forms of subscription required from ministers at their admission to clerical office or at their induction to a benefice. In these forms came to be indirectly set forth the minimum requirements for the ministry, and in them alone was there any positive and authoritative definition to be found of what the doctrine of the Church was. Where other enactments were negative and ambiguous, these alone marked clearly the line between those who were of the Church and those who were not. They were tests, oaths, countersigns to distinguish the good from the bad, the obedient from the disobedient, friends from foes. Moreover, the history of their development and change is an epitome of the constitutional history of the Church during the reign of Elizabeth, and of the growth, and finally of the making, of the Canons of 1604.

Without much doubt, this matter of subscription was in 1603 the most vital point of the "constitution." As has been already shown in some detail, the theory of ecclesiastical administration was that, if every man inducted into office were sufficiently learned and obedient to perform his duties without compulsion, the administration would work of itself with a little supervision from time to time by the higher clergy. The successful working of the ecclesiastical machinery, therefore, depended upon putting into office only those men who would obey the law, and consequently upon the existence and consistent employment of some test for separating the well-disposed from those less inclined to obey. Two causes had combined to make subscription at ordination and induction a vital issue. First, the right of selecting the next incumbent for a vacant benefice had been taken from the clergy at the Reformation, and

[1] State Papers, Scotland, 59, f. 63, Ashton to Bowes, October 31, 1596.

placed in the hands of laymen. Second, it was impossible to compel a recalcitrant man, once inducted, to conform to the regulations of the Church by any method of coercion which the old institutional fabric afforded, and until 1590, when the High Commission became a power, there was no other method. It was, therefore, imperative that all the candidates presented by the laity should be thoroughly sifted by some searching test before admitting them to a place in the ecclesiastical hierarchy. If the man subscribed, he might observe the law; if he refused to subscribe, he certainly would not obey it; and, once inducted, there would be no adequate means of compelling him to adhere to either the letter or spirit of the constitution. As the situation stood, then, subscription seemed to be the one possible remedy for administrative confusion, the one possible means of working the old medieval constitution of the Church.[1] In fact, the real reasons for seeking to exclude the Puritans from the Church were not theological, whimsical, or tyrannical, but purely administrative, for with such men in office the Establishment would not work at all.

To this administrative necessity was added another reason which was in a way a result and at the same time a cause of the necessity itself: subscription was imperative because all men of the period were, to a greater or less degree, filled with the idea that they were morally and legally bound to obey only those things to which they had personally assented. To us, who expect every one residing within the geographical limits of a certain country to conform to its laws without individual assent, there is nothing more mystifying and more incomprehensible than this belief. But in truth, the idea of the territoriality of law, to-day everywhere in the ascendant, had in the sixteenth century only just appeared, and was as yet an academic, not an administrative, proposition. The everyday man still clung fast to a curious outcropping of the old Germanic idea of the personality of law: that a man's law was his own, the law of his family and of his tribe, and to no other law could he be held amenable without his express consent given in person. Every

[1] Travers, the Puritan, also chose this as the critical point of the ecclesiastical problem, though he placed more stress on the way in which the persons were selected. "Thus much off Ecclesiastical officers off whom because I haue spoken more at large how they ought to be appointed, for that in the appointinge off them Ecclesiastical Discipline dothe in a manner wholie consist." *A Full and Plaine Declaration off Ecclesiasticall Discipline.* (1574.) p. 185.

Englishman of the time of Elizabeth agreed without hesitation that the common law, being the law into which he was born and hence *his* law, was binding upon him. He also acquiesced in whatever was decreed by Parliament, for Parliament in theory gave the assent of every man in the realm to new laws and to innovations upon the personal law which bound him without his assent. But ecclesiastical legislation had been provided for in neither the old Germanic scheme nor in the feudal constitution. Decrees had come from the Pope at Rome, and had been obeyed as the commands of God transmitted by his Vicar on Earth. Then, at the Reformation, the papal allegiance had been abjured and with it had gone the old quasi-divine sanction of ecclesiastical legislation, for the latter was now vested in Convocation with the permission and consent of the Crown, and had thereby acquired a civil tinge, which inevitably suggested that it too should be limited by the regular civil safeguards. Moreover, as the clergy alone were represented in Convocation, we begin to meet about this time an idea whose strength grew by what it fed on, until it was finally claimed to be law which had existed ever since the Conquest. It stated that inasmuch as the assent of every man was needed to every thing outside the common law, Canons passed by Convocation might bind the clergy but could not bind the laity—a view strictly analogous to the theory of parliamentary representation. But there can be no doubt that Henry VIII believed that his statutes had been passed with all possible legal formality, and had bound the laity, by their assent in that Parliament, to obey such Canons as the King and Clergy in Convocation should thereafter make. The laity had once for all delegated to the Clergy and to the King their right to assent to ecclesiastical laws. The acts of James I in connection with the Canons of 1604 leave no doubt whatever, that he, Bancroft, and most of the lawyers, believed that they were decreeing a law of superior obligation for all subjects, lay and clerical. Had there not developed in the nation different views of what the ecclesiastical settlement should be, had there been no Civil War, and no Revolution of 1689, there can be little doubt but that this view would have prevailed.

The Puritan clergy, too, grafted upon this old tradition an idea which was seen to be specious in the highest degree. They soon began to declare and believe that they were not represented or heard in Convocation, hence had given no assent to its Canons, and to this

they soon coupled the contention that an "antichristian hierarchy" like the bishops could not pass laws binding even upon the clergy. Unless, therefore, he, by his own personal act, had consented to perform the various rites of the Church, the Puritan did not feel that he was under any legal obligation.[1]

An analogous idea obtained at common law by which no man could be tried until he had consented to abide by the decision, that is, until he had pleaded to the indictment, and, to prevent his evading the penalty of the law by standing mute, custom and statute sanctioned barbarous measures to force from his lips some recognition of assent to the jurisdiction before which he was arraigned. This same Germanic idea lay at the root of the Puritan's attitude toward the oath *ex officio*. He objected to being sworn to answer truly the questions which should be asked him (this was all the oath demanded) not only because he would then be unable to evade them without endangering his conscience, but because he felt that the oath forced him to give that final assent to jurisdiction which could not be broken or retracted. Of course, the objection seems to be a quibble, for he was only asked to tell the truth, and if he were innocent, no number of oaths to tell the truth about the matter, would have injured him. The real point, however, was the fact, that, at the bottom of the Puritan's contention, lay the consciousness that he was really guilty of what was technically a crime when he did not believe that it ought to be considered a crime. He knew perfectly well that, if he told the truth, he must be convicted, and so he refused to be sworn. He would resist and nullify the law by refusing to assent to the procedure which alone could enable it to be enforced.

The strength of this old Germanic idea of the personality of law, so fundamental in all English constitutional and ecclesiastical history, made necessary the insistence upon subscription to some sort of a test of doctrinal soundness and administrative goodwill. If a minister would perform only duties to which he had personally assented, he must be forced to consent to all that were of crucial importance. On the other hand, the Puritan refused to subscribe

[1] Visitation Articles of 1605, no. 73. "Hath or doth any of your parish affirm that no persons either of the clergy or of the laity that were not pertinently present in the said late synod, are subject to the decrees thereof in causes ecclesiastical, made and ratified by the King's supreme authority, because *they gave not up their voices unto them.*"

because he felt that he could not conscientiously perform the things which, by the form of subscription, he promised; because he felt that, if he did not subscribe, he might omit their performance with a clear conscience despite the law of the Church commanding it; because he felt that, once he had subscribed, promised, or assented, he would then be bound in a manner which his conscience and the law would not allow him to break; he would then be under an obligation which would be final.[1] Psychologically, his refusal to subscribe seems to be explainable in no other way. In truth, the administrative welfare of the Church alone, aside from any questions of dogma or doctrine, aside from suspicions of Puritan or Catholic leanings, forced the bishops to invent some such formality.

The use of forms of subscription was very ancient even in 1559. It seems to have been developed in the attempts at heresy trials to secure from the culprit his personal, and therefore binding, assent to those dogmas of the Church whose validity he had impugned. The forms were therefore mainly doctrinal and were used in individual cases only. The procedure was, in the main, exceptional and was certainly not a regular administrative expedient. But, as soon as the Reformation was well advanced, the existence of incipient heresy in a great proportion of both clergy and laity, totally changed the situation. A form excellent for one heretic would be no less efficacious for a thousand heretics, whether clergy or laity. If useful in reclaiming a known heretic, why not admirable for detecting the existence of heresy? By merely applying the old procedure and form of submission to case after case the extraordinary became usual, then commonplace, and finally a necessary factor of administration.

We very soon find, therefore, the earliest reformation bishops signing some declaration of opinion about doctrine, such as that accepted by seven bishops in 1537.[2] Soon rectors of small parishes were called upon to make similar doctrinal declarations before their

[1] Holograph note by Richard Parker, secretary of the Dedham Classis; "the xiij of January 1582. I was enioigned to obserue the booke of Common Prayer in all respects and to read the Queens Iniunctions, weare the surplice and to certify the doing of it . . . but I appeared and yet through favour escaped their handes and yelded not unto them. I praise god." Usher's *Presbyterian Movement*. 101.

[2] The documents referred to in the following pages have been printed in full in the Appendix, and are meant to be only a selection representative of the complete history of the point and not an attempt to give all existent forms.

bishops, and then, as a further step, were required to read them before their congregations. Edward VI thus hoped to insure uniformity of doctrine, and exclude the Catholics. Mary thus endeavoured to detect the Protestants and secure the full recognition of transubstantiation and the papal supremacy.[1] So Elizabeth's first Visitors carried with them a form of subscription which was to divide the loyal from the disloyal.

The difference between subscription under Elizabeth and that used by her father and brother, was not so much a change of form or procedure as one of purpose. Where Henry and Edward had sought to detect doctrinal heresy mainly in individual cases, Elizabeth, because of the change of circumstances, demanded from the clergy in general an acknowledgement that the government of the Church was consonant with Scripture. The change was indicative of the difference between the period of the Reformation and of the Reconstruction. The one was doctrinal, the other administrative and concerned with the form of church government. The form of subscription grew naturally by the inclusion within it of assent to the various additions made after 1559 to the tenets and law of the Church, and by the expansion of its wording to check evasion and casuistry. By 1570, the use of a form of subscription, demanded of all clergymen at induction to their benefice, had become a regular part of the administrative procedure of the Elizabethan Church.

The first form or forms used in 1559 were brief and general in wording. The clergy were to recognise "The Restorying agayn of the aunciente Iurisdiccon over the state ecclesiasticall and spiritual" and "the abolishing of all forayn power repugnante to the same," and to admit that the Book of Common Prayer and the Queen's Injunctions of 1559 were "accordyng to the true woorde of god and Agreable withe the doctryne and use of the Prymatyue and Apostolik churche."[2] But any clergyman who, after an agony of indecision, had taken this form hoping that he would thereby satisfy the Government's desire for a pledge of his loyal adherence, was grievously mistaken. In that same year, appeared another

[1] Quindecim articuli quibus academici Cantabrigiensis ab episcopo Gardinero academiæ cancellario, subscribere jubentur. Wilkins' *Concilia*, IV, 127. (1555)

[2] Lambeth MSS. Carta Miscellanea, XIII, f. 57. This is the long sought original list of subscriptions exacted by the Visitors in the summer and fall of 1559.

form, longer, more explicit, more detailed, and therefore more offensive, which was not only to be subscribed on entering his cure but was also to be read to his parishoners twice each year thereafter, as a sign that he still conformed and in order that they might clearly see what it was to which he was expected to conform. He was to declare his belief in God and the Trinity, in the Canonical Scriptures, and in the Nicene, Athanasian and Apostles Creeds. Then he acknowledged that in the Church of England "the word of God is truly taught, the sacraments orderly administered according to Christ's institution;" that every Church possessed authority to change all rites and ceremonies and to constitute new ones which were "more to seemliness, to order or edification."[1]

After this, came his recognition that none were clergymen except such as were designated by the English ecclesiastical authorities, and then his assent, in no brief and doubtful fashion, to the Queen's Supreme Governorship, to the abrogation of papal authority,[2] and to the Book of Common Prayer as "agreeable to the Scriptures" and as catholic and apostolic.[3] After he had disavowed and disclaimed a long list of "Romish practices,"[4] he was to declare: "These things above rehearsed, though they be appointed by common order, yet I do without all compulsion, with freedom of mind, and conscience, from the bottom of my heart, and upon most sure persuasion, acknowledge to be true and agreeable to God's Word: and therefore I exhort you all of whom I have cure, heartily and obediently to embrace and receive the same, that we all joining together in unity of spirit, faith and charity, may also at length be joined together in the kingdom of God." Compared to this long and searching form of subscription, Whitgift's and Bancroft's Three Articles were slight and mild. Probably this was used only for a year or two at the most.

In 1561, some of the bishops met to draw up further regulations and incidentally prepared a new form of subscription, which, three years later, was appended, with the addition of one important clause, to the Advertisements of 1564. It was chiefly an express and explicit agreement to perform the chief duties enumerated in

[1] Practically these long sections contained the most important clauses of the Forty-two Articles of Edward VI.

[2] This meant simply assent to the Act of Supremacy, 1, Eliz. c. 1.

[3] He thus gave his consent to the Act of Uniformity, 1, Eliz. c. 2.

[4] This meant in practice that he would obey the orders of the Queen's Injunctions of 1559. Many of the later forms compelled the candidate to assent to the Injunctions by name.

the Advertisements; to read service plainly and distinctly; to keep the parish records; to be "sober" in apparel; to exhort men to concord, and the like. But in the form of 1564 was added: "I do also faithfully promise in my person to use and exercise my office and place to the honour of God, to the quiet of the queenes subjects within my charge, in truth, concorde, and unitye. AND ALSO to observe, kepe, and mentayne suche order and uniformity in all external policye, rites and ceremonies of the Church as by the lawes, good usages and orders[1] are already well provided and established." But the Archbishop was afraid that such general directions would not be sufficient to secure that good order which he had so much at heart, and he therefore forwarded in that same year, to all the bishops individually, strict orders to this effect: "that none hereafter be admitted to any office or benefice Ecclesiasticall but suche as shal be disposed to folowe comon order and shall also before there admittance orderlye and formallye promise to use themselves in truthe, concord and unitie, and to kepe suche order and uniformitie in all there externall rites and ceremonies bothe for the church and there owne persons as by lawes, good usages and orders alredy are provided. Moreouer, hir Majesty expresseth hir pleasure to be that none suche as mainteyn disordered dessencon remaine in auctoritie whereby hir suffraign auctoritie might be made frustrate and might be thought to beare the sword in vayne."[2]

Some years elapsed, the Catholics were thought to be pretty well subdued, and in the diocese of Ely we find in use in 1567 a form, signed by forty-two clergy, that required assent briefly and summarily to the Book of Common Prayer and to the Queen's Injunctions. In fact, that was the sum and substance of the long and searching form of 1559, now taken out and phrased succinctly for every day use. But, undeniably, the abbreviation imparted to the document a milder tone; made it less aggressive, made it appear to be more a matter of formality for form's sake than an assumption of potential disloyalty and disobedience. Then in 1571, came

[1] The Puritans objected to the stringent wording of the Canons of 1604. As a matter of fact, if unjust and partial dealing was to be feared at the Bishop's hands, the Canons actually prevented it, while these early Elizabethan forms lent themselves admirably to any purpose whatever, and were equivalent to investing the Bishop with complete discretion.

[2] Paper Book in the Norwich Registry labelled "W. M." f. 121.

the ratification of the Thirty-Nine Articles by the royal authority and a statute of Parliament commanding every minister to assent to them. The Queen's Supreme Governorship and the papal jurisdiction and the Injunctions of 1559 now disappear from the forms, and in Ely at least, we find only a brief form of subscription required from 1571 till 1583, to the Book of Common Prayer and the Thirty-Nine Articles, as representative of the long categories which had before been enumerated at length. In 1571, seventy-four of the clergy of the diocese, headed by John Parker, son of the Archbishop, and John Whitgift, the future Archbishop, gave their unfeigned assent to the following formula: "Imprimis that the booke of publique prayer is suche as contaynethe nothinge in yt repugnynge or contrarie to the worde of God. Item that the apparell ordeyned by law and commended by the prince to the ecclesiasticall ministers ys not wicked but tollerable and to be used obedientlie for order and cumlines only. Item that the Articles of sincere and true religion agreed uppon in the last convocacion set forth by the quenes Maiesties assent and established allso by parliament conteyne most godlie and holsum doctryne agreable unto God's hollye worde." This form in English was used regularly at Ely until 1576, when Bancroft subscribed to the Thirty-Nine Articles alone, without mentioning the Act of Supremacy, the Book of Common Prayer, or Parker's Advertisements. For two years, this form was in common use, and then, 1579, a third formula in Latin closely resembling the other added the recognition of the Thirty-Nine Articles to that of the Prayer Book. Very possibly, though this cannot be positively determined, the form Bancroft used was for rectors presented to some particular parish and that of 1579 was employed in the case of preachers who might officiate any where in the diocese. Both forms were used spasmodically till 1585; then the signatures in that particular volume ceased till 1604, when, strange to say, the form of 1571 was for a time revived. While we can hardly believe that this paper book contains all the subscriptions of the diocese of Ely during the reign of Elizabeth, it is extremely significant that the Bishop should have believed he possessed enough authority to revive the form of 1571 in 1604, when the Three Articles of Whitgift for the Province of Canterbury had been in existence for twenty-five years.

While such was the varying practice in the diocese of Ely, still

other forms, built indeed on the same idea, based perhaps on common models now lost, were faithfully subscribed to by the clergy of the diocese of London. In the London form, too, we find more nearly the tone which afterwards prevailed in the Three Articles of 1583 and may conclude that the practice of that diocese was taken as the common standard in 1583. The London clergy agreed "ffirst that the Booke comonly called the Booke of Common praier for the Churche of Englande authorized by Parliament and all and every the contents therin be such as are not repugnante to the worde of God. That the maner and order appoynted by publique authoritie aboute the administracon of the sacramentes and Comon praiers and that the Apparell by sufficient authoritie apoynted for the mynisters within the Churche of Englande be not wicked nor agaynst the worde of God but tollerable: and beinge Comanded for order and obedience sake are to be used. That the articles of religion whiche onlie concerne the Confession of the true Christian ffaithe and the Doctrine of the Sacramentes comprised in a booke imprynted, intituled Articles whereupon it was agreed by the Archbushopps and Busshops of Bothe Prouinces and the whole Clergie in the Conuocation holden at London in the yere of oure Lorde god, 1562 according to the Computacon of the Church of Englande, and everye of them, conteyne, true and godlie Christian Doctrine." There is here a distinct resemblance to the Ely form of 1571, with just enough difference in wording and arrangement to prove that the bishops' regulations and the manner in which they were enforced varied considerably in 1583.

The exact status of these scattered regulations in the constitutional fabric of the Church is hard to define. The Reformation had so disordered the functions of Bishops and Archbishops that any precise statement from a legal point of view is very difficult. Without therefore attempting to decide whether the Bishop, on his own unaided authority under the old Canon law and the power left him after the Submission of the Clergy and legislation of Henry VIII. could have legally issued any such ordinances, there can be no doubt that they were legal under the new statutory legislation of Elizabeth. The Act of Supremacy required every clergyman to recognise the Queen's ecclesiastical authority and the legality of the abrogation of the papal power; the act of 1563 (5 Eliz. c. 1. s. 5) gave every Archbishop and Bishop "full power" to tender

the oath of supremacy to every ecclesiastical person in England. In the Act of Uniformity, which established the Book of Common Prayer, "full power and authority" was delegated to the Archbishops and Bishops to inquire at visitations or "at any other time and place," into any point of that act and to punish its breach according to ecclesiastical law. For the Thirty-Nine Articles, the statute of 13 Eliz. c. 12 declared that every ecclesiastical person then in office "shall in the presence of the Bishop . . . declare his assent and subscribe" to them and that every man seeking admission to a benefice "shall first have subscribed the said Articles in presence of the ordinary and publicly read the same in the parish Church of the benefice, with declaration of his unfeigned assent to the same." Nothing could be clearer than this express statutory authority to compel the clergy to subscribe to all these various points. The bishop was as clearly left to his own discretion to choose the means he would employ to see the letter of the law fulfilled.[1] This part of the constitution of the Church was then probably legal and binding in the temporal as well as in the ecclesiastical courts.

Whitgift, in issuing a form for use throughout the realm, did nothing in kind or degree different from what had already been done many times since the Queen had ascended the throne.[2] Legally, his form of 1583 stood upon precisely the same statutory basis as the forms which he codified and improved, and he possessed the same authority to issue such a formula for use within his province as the Bishop had to promulgate it within his diocese. The one point he added—an acceptance of the Form for Consecration of Bishops, Priests, and Deacons—was fully authorised by the statute of 8 Eliz. c. 1.[3] Beyond that his form was in reality a return to older precedents and the adoption of a briefer and more conservative language.

"That none be permitted to preach, reade, catechise, minister the sacraments, or to execute any other ecclesiasticall function, by

[1] See Cawdry's famous Case in Coke's Reports. V.

[2] "As for the subscription now required it was not heard of untill about 20 yeares after (i. e. ago) at which time (i. e. 1584) it was brought in by the late Archbishop of Canterbury (i. e. Whitgift) without any law, for the Countenancing of his owne writings against M. Cartwright." *Dialogue between an old Protestant and a new Formalist*. p. 52. 1605.

[3] The Northamptonshire form seems, however, to have included this as early as 1573, but it is not usual in the forms actually used. Only those forms have been used in the text which we know were signed.

what authority soever he be admitted therunto, unless he consent and subscribe to these articles following, before the ordinary of the diocese wherin he preacheth, readeth, catechiseth, or ministreth the sacraments, *videlicet*:

I. That her majestie, under God, hath and ought to have the soveraigntie and rule over all manner of persons born within her realmes, dominions, and countries, of what estate, either ecclesiastical or temporal soever they be; and that no foreign power, prelate, state, or potentate hath or ought to have any jurisdiction, power, superioritie, preeminence, or authoritie ecclesiastical or spiritual, within her majesties said realmes, dominions, and countries.

II. That the book of common prayer, and of ordering bushops, prestes, and deacons, conteyneth nothing in it contrary to the word of God, and that the same may lawfully be used, and that he himself will use the forme of the said book prescribed in public prayer, and administration of the sacraments, and none other.

III. That he alloweth the book of articles of religion agreed upon by the archbushops and bushops of both provinces, and the whole clergy in the convocation holden at London in the yere of our Lord God M. D. LXII and set forth by her majesties authority, and that he believeth all the articles therin conteyned to be agreable to the word of God."

The long phrase "to preach, reade, catechise, minister the sacraments, or to execute any other ecclesiasticall function" meant legally no more than the "every ecclesiastical person" of the early statutes and forms. None the less, the clause stood for something: it defined what were the possible, or at least usual, duties of an "ecclesiastic;" and therefore who was liable to take the oath. The Puritan, who sought no ordination as a priest to perform all the ecclesiastical functions,[1] declared that if he only preached, he was not an ecclesiastical person within the meaning of the acts and so was not bound to subscribe. Or Catholic readers of the service book, who were chary of administering the sacraments in the Elizabethan manner, or the numerous village schoolmasters of Puritan or Catholic proclivities, had felt that the regulation did not apply to them. Whitgift's phrase then was not mere verbiage: it was a

[1] Many refused to administer the communion and their failure was a frequent grievance of the parishioners against them.

definition. The Act of Supremacy had not been included in the form for years, but now candidates found confronting them in Article I two clauses taken nearly verbatim from the Act. This was nothing more than the law required, and certainly Articles II and III were milder and less searching than ever before. Therefore, although as a whole, the form was broader and more inclusive than it had been since 1559, it contained in fact nothing which such formulas had not comprised at some time or other, and in reality nothing to which every clergyman had not been compelled to agree since Elizabeth ascended the throne, all of which was justified by distinct statutory provisions.

Such was the form which Bancroft employed in drafting the Canons of 1604 and such had been its history. In full accord with the established precedent, Bancroft's treatment of the Three Articles was a still further expansion of the language of 1583, to render it more precise, more inclusive, and less easy of evasion. Whitgift had defined the clergyman and his functions as one who was permitted to "preach, reade, catechise, minister the sacraments;" Bancroft defined him as any one permitted "to preach, to catechise, or to be a lecturer or reader of divinity in either university, or in any cathedral or collegiate church, city, or market town, parish-church, chapel, or in any other place within this realm." Every word in that long enumeration probably was inserted because of some actual claim made to some bishop, or some ecclesiastical judge, as an excuse for refusing subscription.[1] Where Whitgift had been content to give the substance of the oath of supremacy, Bancroft placed in his form the *ipsissima verba* of the salient clauses of that oath. The second clause of Whitgift's form he repeated practically intact, but when he came to the third clause he found a definition imperiously demanded.

The Puritans had often declared that the Act of Elizabeth required them to assent only to those articles of the Thirty-Nine which related to faith and the sacraments, and in truth at first sight, the Act supported their contention: every minister shall "subscribe to *all* the Articles of Religion which *only* concern the confession of the true Christian Faith and the Doctrine of the Sacraments." (13 Eliz. c. 12.) The two words "all" and "only" were the crux of the dispute. The sense of the clause is plainly thus, said the Puri-

[1] There are many such claims in Morrice MSS. A, B, C.

tan, that he shall subscribe all those articles of the Thirty-Nine and those only, which concern Faith and the Sacraments. The bishops retorted with some asperity, that "all the articles" meant the whole Thirty-Nine, and that the word "only" should be read so that the meaning would be, "which after all concern only the Confession of the True Christian Faith and the Doctrine of the Sacraments." Such was the opinion of Attorney General Hobart in 1608: "that clause is rather declaratory, affirminge that all the Articles doe concerne faith and the Sacramentes, then the contrarie."[1] So thought that great light of legal learning, Chief Justice Coke, who was so hostile to the Church that he would hardly have supported its view had he known any legal quibble by which he might condemn it.[2] Such was the opinion of the time when the Act was passed, for, in the London form of subscription of 1572-3, we find that the minister was required to agree that the "articles of religion . . . *and everye of them* conteyne true and godlie Christian Doctrine." It is quite possible that the genesis of this clause of the statute is very complex, and may have been less an attempt to avoid a future evil than an attempt to escape from a present peril. Grindal exacted subscription from Dr. Richard Martial, ex-dean of Oxford, in 1562-3, immediately after their passage in these words:— "Articulis omnibus ac singulis de quibus in synodo Londiniensi Anno Domini 1562 ad tollendam opinionem dissentionis et firmandum in nostra relligione consensum, . . . quibus omnibus articulis . . . ego Richardus Martialis præfatus ultro volens, consentiensque mea manu subcriptum." This, and other cases, seem to show that the practice of the Church, long before the Act of 13 Elizabeth, required signature to all the articles without reservations of any sort. If the clause in the statute was ever meant to bear any such interpretation by its makers, it was passed to evade the administrative practice of the Church.

Bancroft, feeling that both law and expediency were clearly on his side and determined to put the matter beyond further dispute or cavil, added to Whitgift's form the words, that "he acknowledgeth all and every the articles therein contained being in number nine and thirty, besides the ratification, to be agreeable to the word of God." After which he inserted a form of acknowledge-

[1] Stowe MSS. 420, f. 26. See also Smith v. Clarke (33 Eliz.) I, *Croke, Reports*, 252; Baker v. Brent and Robinson, (41 Eliz.) I, *Croke*, 679. Both cases in the Queen's Bench.

[2] *Institutes*, IV, 323.

ment—a distinct revival of the ideas of 1559[1]—stating that "for the avoiding of all ambiguities, (he should) subscribe in this order and form of words, setting down both his Christian and surname, viz.—'I, N. N. do willingly and *ex animo* subscribe to these three articles above mentioned and to all things that are contained in them.'" If any bishop failed to exact subscription, he was to be suspended for one year from giving orders and licenses to preach.

There is still another branch of the Canons of 1604, which was based on past precedent of another kind, which did not attain even to the dignity of an episcopal regulation, which derived legality from no regular ecclesiastical source, and for which indeed no legal position or sanction was ever claimed. One great difficulty in the Elizabethan formulas had been their failure to provide any clear definition of who was and who was not a Church member. Technically, every Englishman was to adhere to the Church under the threat of the penal laws, but the only test furnished was his use of the service book, if a clergyman, and his presence at church, if a layman. So loose and broadly conceived a definition simply did not define, simply allowed the Puritan to insist that he was a member of the Church and entitled to enjoy its privileges and to demand its protection. What had been politically and ecclesiastically a help in 1559, had become in 1604 distinctly a hindrance. To Bancroft's mind, it was perfectly clear that the Puritans did not belong in the Church and that some definition of church membership must be enacted which would legally exclude them from the institution. It was not a dogmatic but an administrative necessity. As he declared to a committee in the House of Commons, in 1604, the bishops "could not deal with Papists until these men (Puritans) were either joined with them or severed from them."[2]

This definition he formulated in the first twelve Canons of 1604. These declared, however, not so much who was a member, but who was not; they were negative, not affirmative, enumerating not what

[1] A long acknowledgement was in the second form of 1559, in that of 1564, and very clearly in one copy of the London form of 1574. Ordinarily, however, this form of assent had been framed by each bishop or official whose duty it was to receive the subscription, and had not been, as it were, a part of the form of subscription itself. Here again Bancroft only enacted one formula for all England, instead of continuing the various irregular phrases and methods of assent which had hitherto been in use. The acknowledgement annexed to the oath of allegiance of 1606 is also a development of this Elizabethan precedent.

[2] *Commons Journals*, I, 304. May 3, 1606.

a man must believe to remain within the Church, but what he could not believe and still be counted a member. All who held the opinions described, were declared *ipso facto* excommunicated, that is to say, excluded from the Church by the very fact of holding that belief.[1] Few candid and impartial students will maintain that any one should have been *legally* accounted a part of a church which he denominated antichristian, which he believed had established in its Prayer Book a "corrupt, superstitious or unlawful worship of God," whose creed was "such as he may not with a good conscience subscribe unto;" which celebrated service by what he felt were "wicked antichristian rites:" whose members he considered to be "profane and unmeet (for him) to join with in Christian profession." While the sentimental reasons for allowing such men to remain in the Church might be excellent, certainly few can deny that they lacked the first qualification of legal membership. No church can exist as an institution, which legally accounts men members who publicly deny its authority and sacred character. It may connive at their presence, it may tacitly take no notice of their ideas, but it cannot publicly provide for their legal enrolment and continue to exist as an established church.

This cruel and illegal "innovation," as this first section of the Canons of 1604 has been stigmatised, was in fact neither illegal nor an innovation. While it found no precedent in statute or canon, it was a direct outgrowth of the attempts made during Elizabeth's reign to separate the radical from the moderate Puritans. It found its precedent in the administrative, not in the canonical constitution.[2]

From the time when the radical Puritans, after the failure of the Rising of the North, began to attract the attention of the Government, attempts had been made to procure their assent to forms of submission. A Puritan who had preached too vigorous a sermon, who had persistently and publicly refused to conform, who had espoused too heartily the schemes for the advancement of the Disci-

[1] While legal opinions differed somewhat as to the effect of excommunication *ipso facto*, the best authorities, temporal and ecclesiastical, were agreed that some sort of declaratory process by the Church would still be necessary. The Canons in fact merely dispensed with regular legal proceedings to obtain conviction, and authorised the judge, on receiving proof that the man held such an opinion, to declare him excommunicate forthwith.

[2] The precedent for these twelve canons has been given in detail in the Appendix.

pline, was imprisoned, and there visited and argued with by divines who sought to demonstrate the error of his ways. Then, unless he was, as they said, "stiff necked," he and the ecclesiastic prepared together a sort of recantation of certain ideas which he had believed, or ought not to believe, coupled to an affirmation of some of the Church's tenets which he was accused of slighting. As the number of such Puritans increased, and as the conferences with them fell more and more often to the lot of the same few men among the London clergy, these forms of submission began to evince a certain similarity, a tendency aided by the resemblance which one man's tenets bore to those of the last culprit. Naturally, such documents, purely ephemeral and for individual cases only, have tended to disappear and only a few, connected with the more important incidents of Puritan history, now survive. Even more inevitably, where ideas differed so widely, very little exact similarity of language might be expected in such forms of recantation. However, during the trial of the men who had been concerned in the Classis Movement, three forms seem to have been evolved which pretty clearly influenced the first twelve Canons of 1604. Nine of these Canons can be traced to one or the other of these forms, and one form alone contains the substance of eight, arranged in much the same style and character which they afterwards possessed as Canons. Of the other three, two are directly based on statutes and there remains, therefore, only one which can be called new. Much of this resemblance, however, consists simply in a repetition of the substance of the earlier form without adhering to the exact words in which it was phrased. Moreover, in most of the earlier forms, the Puritan declared that the Church or its doctrine was lawful, while the Canon, by a turn of the phrase, stated that any who declared it unlawful, should be *ipso facto* excommunicated.[1]

[1] The seventh Canon reads: "Whosoever shall hereafter affirm, That the government of the Church of England under his Majesty, by archbishops, bishops, deans, archdeacons, and the rest that bear office in the same, is antichristian, or repugnant to the word of God; let him be excommunicated *ipso facto* and so continue until he repent, and publicly revoke such his wicked errors." This seems to have been influenced by the following passage: "that the ecclesiastical government of Archbishops, Bishops, and other Ecclesiastical persons, now received and established by her Majesty's authority in the Church of England, is lawful and allowable by the Word of God." The eleventh Canon runs thus: "Whosoever shall hereafter affirm or maintain, That there are within this realm other meetings, assemblies, or congregations of the king's born subjects, than such as by the laws of this land are held and allowed, which may rightly chal-

There was another type of administrative regulation, which contributed as largely as any other to the formulation of the Elizabethan ecclesiastical law which was codified into the Canons of 1604—the Visitation Articles. These were lists of questions which the bishops, from time to time, propounded to the vicars and churchwardens, ostensibly to discover whether or not they were obeying the law. But where the "constitution" was so fragmentary and incoherent, it was absolutely necessary, that at some time a clear and definite statement should be laid before the vicars and churchwardens, of exactly what the law demanded of them. The law of the Church was thus restated in the Visitation Articles, and was thus clarified, defined, and, at times, expanded. By changing the form of an article, by expanding the wording of the text, the bishop really expounded it. The Visitation Articles thus became ordinances or proclamations, which were only more effective because each demanded from every individual concerned in the administration of the Church, an answer which ought to reveal the degree in which he understood its provisions, and to which he was willing or capable of obeying them.

Few subjects were so inherently difficult in 1559 and of such continued importance till 1640 as the position of the communion table. Its position and ornamentation were apparent to the most ignorant, and were considered by most men as symbolic of dogmatic beliefs. Elizabeth left the matter rather vague, realising that no definite rule could be decreed for observance by radical Protestants and moderate Catholics, both of whose support she desired. Thus, the Injunctions of 1559 stated, "that the holy table in every church be decently made, and set in the place, where the altar stood, and there commonly covered, as thereto belongeth, and as shall be appointed by the visitors, and so to stand, saving when the communion of the sacrament is to be distributed; at which time the same shall be so placed in good sort within the chancel, as whereby the minister may be more conveniently heard of the communicants in his prayer

lenge to themselves the name of true and lawful churches; let him be excommunicated, and not restored, but by the archbishop, after his repentance, and public revocation of such his wicked errors." The precedent for this may have been a paragraph to which the Puritan ministers were asked to assent: "that the government challenged, devised or attempted to be executed by any presbytery or Church assembly consisting of doctors, pastors, elders, and deacons or any of them, or any such like not warranted by the laws of this realm, is not only unlawful but very dangerous for the state of this realm."

and ministration, and the communicants also more conveniently, and in more number communicate with the said minister. And after the communication done, from time to time the same holy table to be placed where it stood before.''[1] The interpretation of these provisions was thus left to the discretion of the Visitors of 1559, and later devolved upon the bishops, and to some extent upon the individual ministers. The Visitation Articles of 1559[2] and 1569[3] left the matter precisely as it stood, and it was not until 1576 that something like a definition appeared. Have you ''a comely and decent table, standing on a frame, for the holy communion, with a fair linen cloth to lay upon the same, and some covering of silk, buckram or other such like, for the clean keeping thereof, a fair and comely communion cup of silver, and a cover of silver for the same, which may serve also for the ministration of the communion bread.''[4]

When Bancroft came to this topic, he felt in 1604, that, where so many different practices had already become consecrated by custom, and where so full a power for remedying any difficulty had been accorded to the bishop, it would still be unwise to put forth any definite order for uniformity, so the Eighty-Second Canon stated that no doubt ''convenient and decent tables'' had already been provided, were repaired ''in sufficient and seemly manner, and covered, in time of divine service, with a carpet of silk or other decent stuff, thought meet by the ordinary of the place, if any question be made of it,'' and went on to repeat verbatim the old phrases of the Injunctions of 1559 which had so long been the only law of the Church on that point. Nothing can better display Bancroft's innate conservatism and his keen perception of the difficult points where definition itself become more than dangerous. Laud, however, had no qualms and rushed in where all his predecessors had feared to tread. In accordance with his directions, Bishop Wren ordered the clergy of Norwich that ''the communion table in every church do always stand close under the east wall of the chancel, the ends thereof north and south, unless the ordinary give particular direction otherwise, and that the rail be made before it according to the archbishop's late injunctions, reaching across from the north

[1] Cardwell's *Annals*, I, 234.
[2] Articles of 1559, no. 24, Cardwell's *Annals*, I, 245.
[3] Articles of 1569, no. 2, Cardwell's *Annals*, I, 355.
[4] Articles of 1576, art. ii, Cardwell's *Annals*, I, 397-8.

wall to the south wall, near one yard in height, so thick with pillars, that dogs may not get in."[1]

Another case illustrating the importance of the definitions given by the Visitation Articles appears in the requirements for admission to the Church in article sixteen of the Articles of 1576. "Whether your parson, vicar, curate, or minister, hath admitted to the holy communion any of his parish, being above twenty years of age, either mankind or womankind, that cannot say by heart the Ten Commandments, the Articles of the Faith, and the Lord's Prayer in English." This was the first practical regulation issued upon a topic which was of crucial importance to every man, woman, and child in England. The minister's dress, his doctrinal qualifications, his university degree, his subscription to the Articles of Religion, mattered little to them in comparison with the requirements for confirmation. Outside the rubrics and the forms of the prayer book, this was one of the first regulations on that point, and was the first attempt legally to insist that no one should be admitted to the Communion without offering some practical testimonal of their renunciation of Rome by repeating the fundamental postulates of the Faith in the vernacular. And this ordinance was not issued by Convocation, was not contained even in a formal episcopal regulation, but appeared as a simple question among the Visitation Articles.

In truth, they are perhaps more significant in connection with the growth of the constitution than in relation to the actual visitation of sees and provinces, for they represent law in the making, that tentative legislation which always precedes the most successful enactments upon the most important topics. Witness, for instance, the growth of the regulations about the conduct of the parishioners during service. In the Queen's Injunctions, nestled among the other long numbers one little phrase, (No. xxxviii) "that no man, woman, or child, shall be otherwise occupied in the time of service, than in quiet attendance to hear, mark, and understand that is read, preached and ministered," a sentence no doubt directed primarily at the Catholic habit of repeating prayers and telling beads during mass, and which emphasized the new conception that a comprehension of the words of the service was of im-

[1] Articles of 1636, art. iii, Cardwell's *Annals*, II, 252. Compare article xvi. of the Visitation Articles, of 1605.

portance of every individual. Nothing was said about standing, kneeling, or sitting throughout the service, or about taking part in it. Then, in 1569, some further idea was given of what would be tolerated by this question, "whether the laye people be diligent in comminge to the churche on the holy dayes, and with all humbleness, reverentlye and devoutelye do geve themselves to the hearinge of commune prayer in the time thereof, and otherwise occupy themselves in private praiers,[1] readinge of scriptures, or other vertuouse exercise." In 1576, this was transformed into a question as to whether the people "abide orderly and soberly, during the time of common prayer, homilies and sermons, and other service of God there used, reverently and devoutly giving themselves to the hearing thereof, and occupying themselves at times convenient in private prayer."

This article, Bancroft then took into the Canons of 1604 and transformed as follows:—"In the time of divine service and of every part thereof, all due reverence is to be used: for it is according to the apostle's rule, *Let all things be done decently and according to order*:[2] answerable to which decency and order, we judge these our directions following:— No man shall cover his head in church or chapel in the time of divine service, except he have some infirmity: in which case let him wear a nightcap or coif. All manner of persons then present shall reverently kneel upon their knees, when the general Confession, Litany, and other prayers are read: and shall stand up at the saying of the Belief, according to the rules in that behalf prescribed in the Book of Common Prayer: and likewise when in time of divine service the Lord Jesus shall be mentioned, due and lowly reverence shall be done by all persons present, *as it hath been accustomed*:[3] testifying by these outward ceremonies and gestures, their inward humility, Christian resolution, and due acknowledgement that the Lord Jesus Christ, is the true and eternal Son of God, is the only Saviour of the world, in whom alone all the mercies, graces, and promises of God to mankind, for this life, and the life to come, are fully and wholly comprised. None, either man, woman or child, of what calling soever, shall be otherwise at such times busied in the church, than in quiet attendance to hear, mark, and understand that which is read, preached or ministered:[4]

[1] A considerable concession.
[2] So italicised in the Canon.
[3] Not italicised in the Canon.
[4] This phrase is quoted from the Injunctions of 1559.

saying in their due places audibly with the minister, the Confession, the Lord's Prayer, and the Creed: and making such other answers to the public prayers, as are appointed in the Book of Common Prayer: neither shall they disturb the service or sermon by walking or talking or any other way; nor depart out of the church during the time of service and sermon, without some urgent or reasonable cause."

The Visitation Article of 1605 merely asked whether the Eighteenth Canon was observed, but Abbot, in 1616, practically repeated the whole Canon in question form, and Laud added very little, if anything. The idea that Laud was the first to insist upon bowing at the name of Jesus, kneeling during the general confession, and during the Litany, is erroneous, for most of Laud's supposed "innovations" are to be found in the Canons of 1604 or in the little known and less understood administrative orders of the bishops not only of James's but of Elizabeth's time. Likewise Laud, in his stringent orders for the repair of the churches, and the provision of "decent" ornaments for the altar and proper habiliments for the clergy, was merely repeating the orders of Bancroft in 1605 and of many individual bishops.

The history of the Three Articles, of the first Twelve Canons, and of the Visitation Articles, epitomizes not only the formulation of the Canons of 1604, but the growth of the Elizabethan Church Constitution. All of them were the outcome of local experience, were of gradual growth, and in their final form were shaped, not by reason or logic, but by practical knowledge of many men who had found, from the actual administration of those articles, where the deficiencies were.[1] Then came, in Whitgift's form of 1583, the codification and consolidation of this more or less fragmentary and confused local usage into one clear and comprehensive form for the whole realm. The transference of this form from the Articles of 1583, which had possessed only Whitgift's Archiepiscopal sanction into the Canon law, with the ratification of both Convocation and of the King, illustrates the fact that many of the Canons of 1604 were based on usages, ordinances, or Visitation Articles, which had pre-

[1] "If thes notes practical shall seeme sufficient remedy for the said abuses, after a tryal I would have you to frame the affecte thereof in forme of law, by me to be authorised for a perpetual rule to be observed in your courtes." Parker to the Dean of the Arches, November 20, 1560. Registrum Parker, 225 a. Printed in Wilkins' *Concilia*, IV, 222.

viously had no place in the real law of the Church, and which, in essence and somewhat less in form, antedated the year 1572. Bancroft's treatment of these Three Articles and of the Eighteenth Canon shows how the codification of 1604 was performed: some parts were taken verbatim from another source: others were slightly altered; others still were considerably changed, lengthened, and amended, to prevent evasion and casuistry. Then, too, the restoration of the actual words of the oath of supremacy in the form of subscription exemplifies the revival of points of this practical constitution which had been in abeyance for some time, and which seemed like innovations to men who had forgotten their existence or who were too young to have known of them. The transformation of Clause Three so as to militate against the Puritan view shows that many Canons were in reality legislation against that party and a refusal of its demands for reform. Lastly, the severe penalties attached showed that the new Canons were meant to be obeyed and that a new day had dawned, when there should not only be law but penalties for breaking it and a coercive force sufficient to exact them from the guilty.

NOTE A

Administrative Orders and Regulations

(1) Whitgift's Twenty-Four Articles. Strype, *Whitgift*, III, 81-87.

(2) October 19, 1583. The Archbishop's letter with Articles for good order in Churches. Wilkins, *Concilia*, IV, 303.

(3) December 12, 1583. The Archbishop's letter to the Bishop of London explaining the Order of Oct. 19, Wilkins, *Concilia*, IV, 303-4. Strype, *Whitgift*, I, 238-240.

(4) 1585. "Certain Orders for the Increase of Learning in the unlearned sort of Ministers," by the Bishop of Lincoln. Printed in Cardwell's *Annals*, II, 21, from Documents in the Episcopal Registry.

(5) 1586. Orders for the better increase of learning in the inferior ministers, and for more diligent preaching and catechizing, agreed upon by the Archbishop and other bishops in Convocation. Strype, *Whitgift*, III, 194.

(6) 1586. A letter from the Archbishop of Canterbury to the Bishop of Lincoln, concerning the admittance of unmeet persons into the ministry. Cardwell's *Annals*, II, 28, from Episcopal MSS.

(7) 1587. A letter from the Archbishop of Canterbury to the Bishop of Lincoln about Bibles in the Churches. Cardwell's *Annals*, II, 31, from the Episcopal MSS.

(8) April, 1589. Lettre Commisionales per dominum Episcopum Norwicensium, nonnullis viris, doctis iurae integris, consesse, ut Cleris Norwicen: magis et melius doctrina sana religioneque piam instrueretur. Diocesan Registry, Norwich, a paper book, labelled, "W. M." f. 186.

(9) May 22, 1601. The Archbishop's letter to the bishops touching their commissaries and official courts. Wilkins, *Concilia*, IV, 364-5.

(10) January 7, 1601-2. The Archbishop's letter with Articles touching the Ecclesiastical Courts. Wilkins, *Concilia*, IV, 366-7.

(11) June 30, 1603. The Archbishop's letter touching Communicants and nonconformists. Wilkins, *Concilia*, IV, 368-9.

CHAPTER V

THE SIGNIFICANCE OF THE CANONS OF 1604

The Canons of 1604 [1] were the first legislative enactment of the English Reformation which deserved to bear the name "constitution." "Injunctions" and "Articles" there had been in plenty; there had been even a "Book of Certain Canons" in 1571[2] and "Capitula sive Constitutiones" in 1597; but now for the first time the title read "Constitutiones sive Canones ecclesiasticae." That one word is significant: it marks the place which Bancroft meant the Canons of 1604 should take in the institutional fabric of the Church; it denotes their comprehensive character and logical arrangement; and it is indicative of the fact that they were not supplanted in 1660. To have consummated the first complete and coherent codification of English ecclesiastical practice was in itself a great achievement, but to have effected at the same time the formulation of the constitution of the Church for the three succeeding centuries, was indeed an attainment.

The "constitution" was, however, not new but old, stretching back to the first Injunctions issued by Cromwell as Lord Vicegerent when the Royal Supremacy was yet very young. Bancroft, like every great English statesman, was thoroughly imbued with that peculiarly English conception that every successful government must rest upon past experience, and must find its fundamental tenets deep down in the tried customs and practices of previous generations. In regard to the crucial points of this reconstruction, firm and definite ideas had long been acquiring strength in his mind. He was convinced that the connection of Church and State was not only unavoidable but for the best, and that the Church could be efficiently reformed only with the assistance of the State.

[1] Sometimes inaccurately referred to as the Canons of 1603, notably by Lord Hardwicke in his famous decision.

[2] The original manuscript copy of these Canons with the original signatures is in Corpus Christi College MSS. (Cambridge) 121, f. 455. A copy of the first printed edition of 1571 is in the Bodleian Library, Oxford, AA. 22. Th. Seld.

Equally unshakable was his belief that the vast majority of the people of England favoured the Church and would still more countenance it as he meant it should be. The Puritans and Catholics were, he thought, few in number, and, while he was eager to include the moderates of both parties, he was as fully convinced that the radicals, who could not keep their opinions to themselves, must be excluded without mercy. Such were the main considerations which seem to have given shape to these famous Canons of 1604.

The Canons opened with a section[1] which defined the membership of the Church of England, by stating clearly who were not members of that body: certain classes of men were excluded finally, and by implication every one else was to be a member. Then came a section which treated of divine service and the administration of the sacraments,[2] the law upon the ordination of ministers, and the regulations requiring residence. Sections followed on preachers and their conduct, schoolmasters, things appertaining to churches, which, with the law regarding churchwardens and parish clerks, completed the first division of the new constitution and comprised the enactments most vital to its future welfare. The rest of the one hundred and forty-one Canons were occupied with a long and important series of regulations upon visitations, the ecclesiastical courts, and their officers.

Three questions now confront us: to what extent were the Canons a codification of the old law; how much of the new was legislation of the first importance and how much was merely the superstructure of the main building whose foundations were already laid in the Elizabethan enactments; and, lastly, to what extent were these Canons a reformation of the Church, how far did they go toward meeting the complaints which Puritan, Catholic, and Churchman had showered upon that institution?

By actual count, ninety-seven of the one hundred and forty-one Canons were old and forty-four were new, so that the old were

[1] They were issued in 1604 in both English and Latin, both of which editions have been reprinted in Cardwell's *Synodalia,* whose text has been used throughout this chapter and the corresponding part of the Appendix. The precedent for these Canons has been worked out with as much detail as possible and the results have been printed in full in the Appendix.

[2] Walcott, in his edition of these Canons, p. xix, states that precedent for these and the following sections was found in the Decrees of Milan made by Cardinal Borromeo, 1565-1574, but the resemblance is not strong and seems to be rather a coincidence than intentional borrowing.

more than double the new in number.[1] But nineteen of these new Canons are to be found in the division relating to the ecclesiastical courts, and therefore sixty-six of the ninety-one Canons dealing with ritual and discipline were old and only twenty-five were new.[2] The most important sections were essentially old. On the celebration of the service and administration of the sacraments there were eighteen Canons: four were repeated verbatim, eight were based on precedent, and six were new. Half of the section on ministers and their ordination was old and the old was the more fundamental, including the qualifications for the ministry, the examination of the candidate, the subscription to the Three Articles, the formalities for presentation, all of which had been the subject of plentiful but confused and incoherent regulation. Of minor importance were the new Canons providing that ministers should be made at four times during the year; that no one should be made deacon and minister on the same day and that all who revolted from their subscription to the Three Articles should be excommunicated. While the old was not always so preponderantly valuable, when compared to the new, as it was in this instance, the history of this section is fairly typical of the first division of the Canons.

But the extent to which the Canons were a codification appears more distinctly when we come to examine the precedents upon which they were based. On the whole, the early Articles and Injunctions had been brief and composed of few sections, containing few details. Many of these had been repetitions or modifications of their predecessors, so that the total number of different ordinances, which descended from the Elizabethan régime, was not greatly in excess of the number of the new Canons. Every thing of value was reënacted. Leaving out of account, for the moment, the fact that nearly everything of prime importance in the new code came by several routes, and accepting the gross figures as correct, it is a remarkable fact that twenty-five articles of the Queen's In-

[1] When a Canon is said to be "new," the writer has meant that no clear precedent exists. Of course, in a strict sense, nothing is ever new. Figures and percentages are apt to be misleading and are likely to leave false impressions, but used with caution they are often instructive.

[2] The following Canons seem to be without precedent and have been accordingly called "new": 10, 17, 20, 22, 30, 31, 32, 37, 38, 39, 53, 54, 58, 60, 61, 63, 66, 68, 69, 71, 72, 76, 78, 86, 91, 93, 98, 103, 104, 113, 115, 118, 119, 120, 122, 125, 127, 131, 132, 135, 137, 139, 140, 141. All the others seem to have more or less definite precedent.

junctions of 1559 were repeated in 1604, and twenty-five Canons also found precedent in the Canons of 1571.[1] Twelve Canons were in the Advertisements of 1564;[2] from the Injunctions of 1547 issued by Edward VI came twelve more;[3] while the Injunctions

[1] Canons of 1604	Injunctions 1559	Canons of 1604	Canons of 1571
1	1	5	1, sect. 2.
13	20	6 and 8	6, sect. 2.
15	48	19	5
18	38	25	2, sect. 4.
26	21	28	5
28	32	34	1, sect 6.
40	26	36	1, sect. 3.
42	1	41	8
45	3	42	2, sect. 5.
50	8	48	5, sect. 9.
55	end of the form of prayer	49	6, sect. 1.
		51	2, sect. 6.
59	44	52	5, sect. 10.
64	end	74	6, sect. 1.
70	10	77	9, sect. 1.
74	30	79, sect. 2.	9, sect. 2.
75	7		1, sect, 8;
77	40	80	2, sect. 1.
79	39		5, sect. 3.
80	6	81	5, sect. 3.
83	24	85	5, sect. 2.
82	Tables in the Church	87	10, sect. 3.
		88	5, sect. 7.
84	25	89	5, sect. 1.
90	46	90	5, sect. 2; sect. 8.
109	33	99	10, sect. 5; sect. 6.
110	9	126	3, sect. 6

[2] Canons of 1604	Advertisements of 1564
23	10
24	11
25	12
27	15
29	16, 17
34	22
46	7
49	9
67	19
74	29-36
82	13, 14
99	28

[3] Canons of 1604	Injunctions of 1547
1	1
13	24
26	25
40	31
45	2
50	10
70	13
75	8
79	34
80	7
84	29
110	12

promulgated by Cromwell in 1538 yielded five;[1] and those of 1536 gave three.[2] When all the circumstances, which militated against any constitution of any type, are taken into account, it is a truly remarkable fact that so large a part of the Canons of 1604, and therefore of the present Constitution of the English Church, should have assumed so nearly final dimensions between 1559 and 1572. But these figures though interesting are deceptive. Many of the Canons of 1604 embodied two or more earlier articles often derived from different sources. Others are based upon one or two articles that recur in several places, each of which has contributed to the general result, and all of which therefore deserve to be counted. The Injunctions of Edward VI and of Cromwell, for instance, influenced the Constitution of 1604 chiefly because the Queen's Injunctions of 1559 were taken almost verbatim from them. But, save for a few clauses, most of the latter selected in 1604 for codification, were those new in 1559 and not those reënacted from the Edwardian Injunctions. The influence of the Articles of 1583 and 1585 was very similar. Of the twelve articles of 1583 only three were not repeated in 1585, 1593, or 1597; the Canons of 1585 were repeated verbatim in the Canons of 1597, and the Canons of 1597 themselves were to a great extent incorporated verbatim in the code of 1604.[3] The Orders of 1593 explained and expanded those of 1585, and were themselves precedent for the Canons of 1597.[4] Nevertheless there was much in the Canons of 1604 that came direct from the Queen's Injunctions of 1559, from the Advertise-

[1] Canons of 1604	Injunctions of 1538
45	6
50	9
70	12
80	2, 3
110	11

[2] Canons of 1604	Injunctions of 1536
1	1, 4
75	8
80	7

[3] Canons of 1604	Canons of 1597
34	1
35	1
41	2
62, 100, 102	4, 5
65	8
105-108	6
135	10
138	11

[4] These Orders of 1593 have been printed in the Appendix, it is believed, for the first time. Their discovery does not change materially the story as we before understood it, but merely adds another link to the chain.

ments of 1564, and from the Canons of 1571 without having passed through any intermediate stage which we can now trace.

Practically nothing took its place in 1604 unchanged. The times had so altered that the old wording was either too brief or too full,[1] and simply fostered attempts at evasion and equivocation, which could be checked only by precision in the law and promptitude in the administration of severe penalties. Every one of the ninety-seven articles retained in 1604 was altered, twenty-four of them slightly, while seventy-three were completely recast in form and wording.[2] Ambiguities were as far as possible obviated and the phraseology made precise. The Injunctions of 1559 and the rubrics of the Prayer Book had not defined the position of the minister in the church during service and the Visitation Articles of 1576 left it still vague. Should he be at the altar or at a reading desk; should he stand or kneel; should he stand or kneel on the left hand side of the chancel or on the right or in the middle; should he turn toward the people or face the altar, or stand at his reading desk and talk to the opposite wall of the chancel? It was not even clear whether the vicar or the bishop was vested with the sole right to decide. No one knew what the law was meant to be and Elizabeth certainly did not intend that any minister should refuse to read the Book of Common Prayer because he was forced to stand in one place rather than another. If the Catholics intoned from the altar and the Puritan read with nasal twang from the reading desk, it made little difference to her so long as they read her book. In practice, therefore, each minister had been a law unto himself and had stood where he preferred. Now Bancroft attempted to secure uniformity by transferring the discretion from the priest to the bishop of the diocese. "Common prayer shall be said or sung . . . in such place of every church as the bishop of the diocese or ecclesiastical ordinary of the place, shall think meet from the largeness or straitness of the same, so as the people may be most

[1] As, for instance, elaborate denials of Catholic practice and dogma. The Church was little troubled by such matters in 1604.

[2] Canons greatly altered: 2-9; 11; 12; 14-16; 19; 21; 23-27; 29; 33; 35; 40; 43-48; 50; 51; 56; 57; 62; 64; 65; 73; 81; 83; 85; 88; 92; 94-97; 99-102; 105-112; 114; 116; 117; 121; 123; 124; 126; 128; 129; 130; 133; 134; 136; 138.

Canons slightly changed in form and substance: 1; 13; 18; 28; 34; 41; 42; 49; 52; 67; 74; 79; 82; 84; 87; 89; 90.

Canons repeated nearly verbatim: 36; 55; 59; 70; 75; 77; 80.

edified."[1] He thus retained the elasticity of the old law, enabled the bishops to take account of local conditions, and yet gradually by successive changes to introduce uniformity of regulation.

Article Forty-eight of the Queen's Injunctions had been clear and had stood unchanged from 1559 till 1604, but it was too brief. "That weekly, upon Wednesdays and Fridays, not being holy-days, the curate at the accustomed hours of service shall resort to church and cause warning to be given to the people by the tolling of a bell, and say the litany and prayers." Bancroft had found by experience that "curate" was a loophole, for Puritan ministers insisted that the word did not denote them, and, with this difficulty in view, he expanded the wording to read, "the parsons, vicars, ministers or curates, in all cathedral, collegiate, parish churches and chapels," thus making the obligation apply clearly to all churches of whatever description and to all clergymen of whatever grade. The people, who ought to come at the tolling of the bell, he defined as "every householder dwelling within one-half mile of the church." The extreme Puritans had systematically disobeyed certain regulations against holding any services in private houses because they persisted in declaring that the law did not say that their place of worship was a private house. So in Canon Seventy-one came a definition: "houses are here reputed for private houses, wherein was no chapels dedicated and allowed by the ecclesiastical laws of this realm." Such alterations, then, as had been made, were chiefly attempts to define and give precision to the language of the law which should render equivocation and evasion difficult.

If so many of the Canons, even as they had been revamped and remodeled, were clearly a codification of previous enactments, what was there new in the constitution? The part which has usually attracted the most attention was the definition of the membership of the Church, contained in those twelve Canons whose probable origin we have already traced. In truth, they declared that any one holding certain ideas was not a member of the Church and therefore was excommunicated *ipso facto*. Like Magna Carta, the Petition of Right, and so many famous English charters, they were negative not positive, and were as truly the cartel of the Church fighting for institutional freedom as the Petition of Right was the cry of the House of Commons struggling for freedom from royal oppres-

[1] Canon xiv.

sion. On them the Church as an established institution took its stand; on the maintenance of their contents depended its administrative life.

Here it was that the old medieval idea of uniformity clashed most severely with the necessities of institutional and administrative life as the sixteenth and seventeenth centuries were beginning to perceive them. During the Middle Ages the Church had held that personal approval of its establishment from conviction was not essential so long as every one conformed to its outward public observance. The man who disagreed with it, was, they declared, morally bound not to proselyte, and, where he had refrained from so doing, he had usually enjoyed both his freedom and his opinions. But in the year 1604 the situation was so different that the old medieval ideal could no longer be even tacitly recognised as the ordinary ecclesiastical policy. There was not now one Church, but two or more in nearly every country in Europe. It was no longer possible, nor considered by Englishmen to be desirable, to exterminate as heretics even those who persistently avowed a difference of opinion with the purpose of creating a party to oppose the Establishment. The basis of the old medieval ideal had been not logic but expediency and it was now no longer expedient. It was, however, none the less believed by many and strenuously insisted upon. The Puritan himself was unable to conceive of obtaining salvation outside some ecclesiastical organisation, was strongly convinced that the English Church was "antichristian," and that his own sect, although an organisation forbidden by the law of the land, was nevertheless the "true and lawful" Church. And he proposed, despite this belief, unaware apparently of its inconsistency with his action, to stay in this institution, whose rites he stigmatised as too "corrupt, superstitious and unlawful" to be observed by any one who had his soul's salvation at heart, and whose communicants he declared unfit for him to join with in Christian fellowship. It was a strange and illogical position and yet one ratified and upheld by the subconscious beliefs and ideas of conduct inherited from the medieval Church.

With this attitude, the observations and ideas of the administrators of the sixteenth century clashed. What had been practicable in the Middle Ages, when only one Church existed, had become impossible amid the rivalry of institutions each of which claimed

to be the only true Church. Elizabeth had continued the medieval church policy, had tolerated the quiet and punished the stubborn, but Bancroft believed that, from an administrative point of view, the policy had been a mistake. For the Church to admit that a man, who publicly proclaimed his disbelief in its fundamental tenets, was still legally or in an administrative sense a member of it even though he accepted the royal supremacy, was tantamount to a declaration that the Church did not itself believe in its own legality and divine calling. The medieval idea that every one was a member of the Church was noble and dignified, but Bancroft saw that in 1604 it was not true. To say that every one ought to be a member of the Church was one thing; to attempt to administer the Church as an institution, upon the assumption that every one was a member, was quite another thing and simply ignored the plain facts of the situation. The Puritan did not agree with the Church and knew it, but he was tied to the Establishment by inherited beliefs which could be shaken off only under the pressure of circumstances.

Bancroft, in fact, believed that the Church would never be institutionally strong until the Puritans were legally excluded from it and until it was understood that belief in its tenets was a fundamental condition of membership. No layman was to be asked to declare what his beliefs were, and so long as he was silent, he might believe what he chose; but once he began openly and publicly to disagree with the basic tenets of the Establishment, from that moment he must cease *ipso facto* to be regarded as a member. He was put out of the fold not by the act of the Church, but *ipso facto* by his own public declaration of such opinions. Such a stand the Church had privately taken in many individual cases during the previous quarter of a century, and it had been made inevitable by the circumstances of the Reformation settlement. Certainly it has since been ratified by every religious organisation in the Christian world. It was once again the clash of the old and the new in irreconcilable conflict where, in the nature of things, there can be neither right nor wrong.

The present opinion, so often seen in modern books, regarding the injustice and cruelty of these first twelve Canons seems to arise from a subconscious belief that any proceedings against any one for his opinions are the rankest and most unjustifiable of persecutions.

All Europe has been firmly convinced for at least a century that temporal punishment meted out to any one because of his religious belief is contrary to the natural rights of man, and this persuasion, inherited by generation after generation, has been so infiltrated into every standard of judgment we possess that it is hard indeed to escape its influence. But in the sixteenth century the bulk of men thought such action absolutely justified by every tenet of morality and of Christian dogma, and, although they complained bitterly when it militated against them, once they had their adversary in the same position every verse of the Scriptures furnished an argument to prove his suppression consonant with the will of God.

The term *ipso facto excommunication* possesses for us all an inevitably terrible connotation. We feel that some vestige of its original meaning still clung to it, some trace from the days when excommunication meant that a man lost his hope of eternal salvation; able to attain it only by priestly mediation, by this act the Church refused him its offices. The English ecclesiastics however by no means held that salvation could be attained only within their Church, but maintained consistently that the true Church might assume different shapes at various times or at the same time in different countries without affecting its power of salvation. Bancroft probably had no idea that he was robbing any one of his opportunity for salvation, and although he did employ the word excommunication again and again in its original sense—to expel from the Church, to put out from its fold—he simply meant to declare in legal phraseology that the man who held these opinions was no longer a member of the Church.

Then we have ingrained in us the common law idea that a man may suffer legal penalty only after due legal process actually instituted in the courts. Yet, here was a man, who, for his simple opinion, was condemned without any process at all to the severest penalty which the ecclesiastical courts could inflict. Viewed in such a light only one judgment upon these Canons is possible. To modern historians, the severest concomitants of excommunication were not its spiritual terrors, but its civil consequences, depriving a man of his legal rights in the courts and making it impossible for him to collect his debts or serve as administrator or guardian.[1] But

[1] "Nor were the terrors of excommunication felt only by those who shrank from bearing spiritual censures. The excommunicated person

no one familiar with the ecclesiastical administration of this period would consider that excommunication was feared by Bancroft's contemporaries as a severe or unusual penalty. Men seemed in fact to court it, and cheerfully remained excommunicated for years without making any attempt to remove it, when the simple performance of some slight penance would have relieved them. If excommunication had really entailed severe civil disabilities, such a general attitude on the part of the laity would have been improbable. Bancroft, therefore, had no notion that excommunication *ipso facto* would have temporally incommoded the Puritans. Indeed he would have been very glad if it had. The great cry of the ecclesiastics of the time was that excommunication as a penalty was inoperative and too weak to be of any considerable coercive value, and their chief complaint against the temporal courts lay in the scant credit they accorded excommuncation or any other ecclesiastical process. Probably no one lost his standing in the community or failed to collect his temporal debts because he was excommunicated.

Another reason for condemning this exclusion of the Puritans *ipso facto* from the pale of the Church is the belief that the Puritan ministers and laity were the very flower of the English Church, the most learned, the most virtuous, and the most wise. While no precise statement regarding the learning and piety of any body of men who lived three hundred years ago can be made without many misgivings, the Puritans do not seem to have been more remarkable than the men who clung to the Church. The objection to the Canons in short is only the recurrence in a little different form of the old question, is the enforcing of conformity to a standard justifiable or expedient. If it is either justifiable or expedient, then necessarily any one who refuses to recognise at all the legality of the standard itself, must be, by that very fact, without the pale of that institution, and to declare him *ipso facto* excluded is after all only the enunciation of a thing which should have been self-evident.

It was necessary that the law should not be evaded, it was imperative that no one should claim to be a member of the Church who refused to recognise its legality, but quite as essential, if anything

was unable to enforce the payment of debts which might be due to him, and was himself liable to imprisonment till he confessed his error.'' Gardiner, *History of England*, I, 195.

were to be enforced, was the provision of suitable penalties for the offenders detected in breaking the new law. Here the new legislation was of the first importance. Only fifteen of the articles issued previous to 1604 had been furnished with even the mildest penalties, for it had in a way been taken for granted that somehow the ecclesiastical courts would find in the old Canon law some suitable remedy. But in 1604 such a notion had disappeared: the law which commanded should provide the penalty for disobedience. Sixty-four out of one hundred and forty-one canons enumerated explicit penalties.[1] The old law had directed the courts to set in motion their processes against the clergy who taught the people improper doctrine,[2] who connived at ecclesiastical offences,[3] or who married people without thrice proclaiming the banns.[4] Now the offences were graver and consequences of disobedience more serious. In most cases, the ecclesiastical judges and officials were suspended from office for periods varying from three months to a year, or in some cases until they had performed the duty in question. The new penalties fell upon every one from the bishop and the archdeacon to the humblest curate and ran the whole gamut of ecclesiastical retribution from excommunication to the smallest penance. The bishop who ordained unfit men, the minister who failed to read service as directed in the Prayer Book, who preached in a private house, or held a conventicle, the layman who attended the conventicle, the ecclesiastical judge who connived at it, or who performed any act out of court, all felt the weight of the new Canons. Neither Catholic, Puritan, nor Churchman could claim that the others were favoured. Thirty-seven canons directed penalties against the clergy, twenty-five against the ecclesiastical judges, and seventeen against the laity.[5] In the code as a whole, with and without penalty, sixty-four canons were aimed at the offences of ecclesiastics and twenty-six at the practices of laymen. Bancroft was determined not to punish a class or a sect, but to enforce the constitution of the Church against every one, and of this intention there is no better

[1] Canons of 1604 with penalties: 2-12; 22; 27; 33; 35; 36; 38; 54; 56; 57; 59; 62-64; 68; 69; 70-73; 75; 79; 86; 90; 92; 94; 95; 97; 104; 108-110; 113; 114; 116-118; 121-123; 126-131; 133-136; 138-141.

[2] Canons of 1571, art. vi, sect. 2.

[3] Articles of 1575, art. xiii.

[4] Articles of 1585, art. iii, sect. 2. Canons of 1597, art. v, sect. 5 and 6; compare also Canons of 1597, art. ix, sect. 4, with Articles of 1575, art. xiii.

[5] Some thirteen articles were also distinctly in favour of the laity.

evidence than the impartiality with which punishment is provided.

The "constitution" had thus been codified; evasion had been checked by the expansion and definition of the existing law; the new legislation excluded the sectaries; and placed in the hand of justice an ample sword against transgressors of every type. There remained the question of reform, and here a variety of topics presented themselves. The doctrinal discontent of the Puritans must be answered decisively in the affirmative or negative; the practical complaints of all parties against pluralities, nonresidence, and the ignorance of the clergy, must be silenced by some action as adequate as circumstances would permit; and, lastly, the abuses of the ecclesiastical courts must be corrected. Here were serious problems which demanded for their solution all Bancroft's knowledge and skill.

There was no topic upon which more material had accumulated than on the doctrinal demands of the Puritans, albeit much of it was merely repetition of the same thing. Here the same development had been taking place that has already been traced in the history of the forms of subscription. From the demands of the radicals in the Convocation of 1562 to the platform of the party presented at the Hampton Court Conference in 1604, there had been constant development, although not always consistent or logical. The Puritan proposals were not less a product of past experience and debate among themselves and with the bishops than were the Canons of 1604 themselves. With the history of this development we are not here concerned, but it is essential to bear carefully in mind that Bancroft refused in 1604 many demands for which agitation had been going on for years and that he was perfectly conscious of the significance of his action. He believed that the Puritans were really determined to introduce the Book of Discipline at the very earliest possible moment, and that the demands for the abolition of kneeling at communion and of the sign of the cross in baptism, were only the symbols of fundamental differences of thought, only the thin end of a wedge which the Puritans were determined at the first opportunity to drive home in order to upset episcopacy. He saw that in reality the breach between them and the Church was not to be mended by concessions in "things indifferent." So long as the Church desired to maintain its stand upon an entirely different basis from that adopted by the Puritans, it could

not legally abolish these symbols without nullifying its own real position, without denying the legality and force of its own doctrine. Such a step was a confession of institutional weakness which no one, who had the future welfare of the Establishment at heart, could allow it to take.

Thus the Canons of 1604 included forty-seven Canons aimed without doubt against the Puritans,[1] and ten directed for precisely similar reasons against the Catholics.[2] Many of these were old enough, and were to be found in the Queen's Injunctions,[3] in the Advertisements of 1564,[4] and in the Visitation Articles.[5] But the innovation, so far as there was any, lay in the definite and uncompromising form in which they were now couched, in their inclusion in the Canon law of the Church, and in the provision of explicit penalties for their infringement. The abolition of kneeling at communion and of the oath *ex officio,* preaching in private houses, meeting in conventicles, prophesying, and all attempts at organisation, Bancroft refused without qualification. But he sought to avoid

[1] Canons against the Puritans: 3-12; 18; 21; 26-30; 36-38; 48-54; 56-62; 64; 68; 69; 71-74; 76; 81; 82; 88; 90.

[2] Canons against the Catholics: 1-6; 65; 66; 110; 114. Hitherto the Visitation Articles had been the chief weapon of offence. On the whole, the number of articles against the clergy, against the Puritans, and particularly against the Purltan laity had strongly increased, while those against the Catholics had as steadily decreased in number.

Year	Total number of articles	Against Puritans	Against Catholics	Against Clergy	Against Laity	Against Puritan Laity
Canterbury 1569	28	5	5	14	5	2
Canterbury, 1576	66	12	18	34	13	6
Chichester, 1585	15	5	2	6	4	—
Salisbury, 1588	22	6	3	7	4	—
Canterbury, 1605	76	31	12	29	26	15

[3] Canons of 1604	Injunctions 1559
18	38
26	21
28	33
59	44
74	30

[4] Canons of 1604	Advertisements of 1564
27	15
29	16, 17
49	9
74	29-36

[5] For instance, Canon 21 from Article 52 of the Visitation Articles of 1576.

giving needless offence. He knew that the Puritans objected to Article Twenty of the Queen's Injunctions because it allowed work on Sunday, and therefore in transferring it to the new Canons, he omitted the offensive clause.[1] On the much disputed question of the sign of the cross in baptism, he tried compromise. Adopting the theory of the majority of Puritans, he declared that it "doth neither add anything to the virtue and perfection of baptism, nor being omitted doth detract anything from the effect and substance of it." Having gone thus far to meet them in theory, he hoped that they would agree to practice so harmless a matter as they declared it to be: "considering that things of themselves indifferent do in some sort alter their natures, when they are either commanded or forbidden by a lawful magistrate; and may not be omitted at every man's pleasure, contrary to the law, when they be commanded, nor used when they are prohibited."[2] Had the point been really indifferent to either side, no further difficulty would have been experienced. That both should insist upon its triviality and still be unable to agree either to perform or to omit it, shows how wide and real the breach was. The refusal to amend the Puritan grievances coupled to the exclusion of the Puritans from the Church by the first twelve Canons, forced the crisis. They were compelled to declare themselves and either adhere to the Church or separate from that Establishment in which they had long lived, but of which they had never been a part.

By refusing the Puritan demands, Bancroft widened the breach; by reforming the actual abuses of the Church he postponed the day of final schism. The radicals would no doubt leave the Church, but the great body of moderate men, Anglican, Catholic, and Puritan, would cling to the institution as long as they could respect it. The condition of the Church was undoubtedly far from what could be desired, but there is no good reason to believe that injustice, extortion, and actual tyranny had been common. Numerous as the evils were, they were unfortunately not of the type which can be reformed by legislation alone. Pluralities and nonresidence,[3] for

[1] Canon xiv.

[2] Canon xxx. A reasonably full list of these Puritan complaints will be found in the Appendix.

[3] Canon viii of the Canons of 1571 provided that no one of whatever degree, should hold more than two benefices at once, nor should any one hold two benefices more than 26 miles apart. Canon v of the Canons of 1585 directed that only men who are at least Masters of Arts and licensed preachers shall hold two benefices not more than 30 miles apart. The plu-

whose reform much legislation had already been passed and toward which some further measures were now taken, really rested, as we have seen, upon the settlement of the thorny and difficult problem of ecclesiastical incomes. Even a seventeenth century clergyman had a right to live, and until one benefice could be made large enough to support him, he must perforce be maintained by the combined income of several, on all of which he could not possibly reside at the same time. The complaints against those abuses were in large measure true. Reform was necessary, but it was unfortunately not in the power of Convocation to legislate the evil out of existence. But so long as the Church stood openly for reform, so long as its Canons enunciated such a policy and its bishops did their best to enforce it, the reasonable men of the community would continue to respect the Church as an institution as perfect as human endeavor could make it in the face of difficulties too strong to be overcome.

The continual complaints even from loyal clergymen about excessive fees must have rested upon some good basis, and probably sprang from the great rise in prices and the necessity of increasing the fees of the courts from which the officials derived their maintenance. Whitgift had dealt with the topic in 1597 and in 1601, and now Bancroft handled it vigorously by personal inspection and by administrative orders as well as by new Canons.[1] Undoubtedly, too, many suits had been needlessly delayed, though a knowledge of sixteenth century law in general, and of ecclesiastical law in particular, makes it seem likely that the parties to the suit were as much to blame as the ecclesiastical officers. Several courts seem to have summoned a man at once for the same offence;[2] ministers and churchwardens had been forced to appear in courts outside their own dioceses, and, having to bear the cost of the journey, grumbled bitterly at the expense and the loss of time;[3] clergy and laity had been at times haled into court on false charges simply to

ralist should reside a fit portion of the year upon each and provide a competent curate during his absence. This was re-enacted by Canon ii of 1597. For the previous attempts to enforce the law see Visitation Articles, 1559, art. 5, 23; 1567, art. 1, 22; 1569, art. 14; 1576, art. 27, 28; 1576, Articles for Cathedral Visitation, 4, 5; and the whole of the Orders of 1588.

[1] Reformed by Canons 135-137. Tables of fees however had been engrossed before this and were after this date. There are several large parchments that must have been meant for such use in the Exchequer Documents at the Record Office.

[2] Reformed by Canon 121.

[3] Reformed by Canon 94.

exact fees of them.[1] A proctor without any business on hand would make some by seeking out a man who had a *prima facie* case against another, and, after filing the necessary papers, he would drag into court two parties to prosecute and defend a suit which neither was eager to continue.[2] If the clergyman presented the Puritan's offence at Visitation, the Puritan sued him at common law on a trumped up charge;[3] if he did not present those faults, he laid himself bare to endless proceedings for breach of duty. General writs of *quorum nomina* without specific name attached and with only a vague and general description of the man wanted, on which in fact any one could be arrested, were the mainstays of this sharp practice. All these proceedings were reprehensible enough, but most of them found close parallels in various temporal courts, where delays, charges of extortion and worse were prevalent, and were apparently the unavoidable concomitants of legal practice in the sixteenth and seventeenth centuries. They were the abuses which inevitably appear where the inferior officers are greedy and incompetent. The problem of administering a great institution has never been at any period of history, even under the most favorable conditions, a simple matter, while negligence, incompetence, deceit, selfishness, and petty tyranny are and always have been present wherever the execution of orders must be intrusted to many subordinates situated in so many parts of a great territory that adequate and constant supervision are well-nigh impossible. The difficulty of communication, the weakness of the visitatorial system, the existence of nonconformist opinions in the hierarchy itself, were the real causes of these undoubted abuses, and were no more to be cured by legislation than were pluralities. Nevertheless, they received close attention in the last fifty Canons, and were reformed so far as it could be done by writing words on paper.

The Canons of 1604 mark an epoch in the history of the English Church comparable with the divorce of Catherine of Aragon, with the passage of the Elizabethan Act of Supremacy, and with the reform of the ecclesiastical courts under William IV and Victoria. They placed the Church in a new position, and, although many of their provisions are now obsolete, many have been modified by

[1] Reformed by Canon 116. [2] Reformed by Canons 129 and 138.
[3] Reformed by Canon 115.

process of time, by statute, or by episcopal regulation,[1] the constitution of the Church is to-day practically as Bancroft left it. Nothing has contributed more to its stability and durability than the fact that it was really not new, but the codification in clear and definite form of all that was best, most practical, and most consonant with the ideals and aspirations of the English people in the Reformation settlement. The expulsion of the Puritans from the Church and the refusal of their doctrinal and disciplinary demands has been ratified a hundred times during the last three centuries in the hearts of the great majority of Englishmen. Bancroft's administrative regulations for the parish and diocesan officials and for the ecclesiastical courts, were found adequate for most purposes until the nineteenth century. He was instrumental in preserving intact the liturgy of Cranmer and the Thirty-Nine Articles, and played no small part in the preparation of that masterpiece of literature and scholarship, the King James Version of the Bible.

Yet we must not exalt too highly the function he performed. He did not invent the necessity for a codification, nor the materials, nor the opportunity. He could not have created from his own brain such a set of ecclesiastical regulations. The Canons of 1604 were the sum of the administrative experience and wisdom of the Elizabethan Church with not a little of the heritage of the pre-reformation episcopate. Bancroft's was the mind which selected from the confused bundle of past experience the precepts which were really golden. What made his work so enduring was that intuitive comprehension of his countrymen and of the Church which those long, tedious years of dull routine and heart-rending obscurity had burnt into his comprehension by the annealing flame of experience.

[1] For the subsequent history of the Canons see a brief account in Makower, *Constitutional History*, Walcott's *Constitutions and Canons*, xxiii-xxix, and Phillimore's *Ecclesiastical Law*. (1895)

CHAPTER VI

DEPRIVATION OF THE OBSTINATE, 1604-1605

Fully conscious of the fact that, once the new Canons had been passed, they would be in an entirely different position, the Puritans had striven to block the passage of that code by every means in their power. But all the parliamentary attempts to erect a legal barrier against the new Canons and their execution had failed. Bancroft had been accused of treason; Ravis, the prolocutor of Convocation, had been arrested for debt; but the Canons had been passed, and had, in addition, been confirmed by the Crown as the binding law of the Church. The proclamation of July 16 had brought the Puritan ministers face to face with the clear alternative —conformity or deprivation. Moreover, the issue between them and the bishops had been changed. They could no longer claim that the law which they were asked to obey was not definite and clear. They could no longer urge the King to listen to their requests for reform, for he had heard and had not been convinced. Hitherto, the Puritans had felt that they were the accusers and that the bishops were the defendants: the passage of the Canons had reversed the position and the ministers perceived that they were now clearly infringing the law.

It was with very mixed motives that they considered the possibilities. Many feared to lose the only means of supporting their families; others, led by a sordid desire to retain office and power, clung to their posts at all costs; some subscribed to the Three Articles without any intention of keeping their pledge, because of their apprehension (as they said) that the bishop would fill the place left vacant with a "hireling" who would not be able to give their congregations spiritual food.

Three motives strongly swayed the majority of the party to the other alternative. To yield was to renounce the very basis of their former faith, whose logical foundation had been laid in the conviction that the salvation of mankind demanded the universal

acceptance of the exact ceremonies and form of church government directed by Christ in the Bible. Certain that the Church of England did not accord either in ritual or government with the divine model, the Puritan recognised in the magistrate no right to compel him to break the Divine Commands. To conform, therefore, was to him more than the mere performance of some "indifferent" observances. It was a public acknowledgement that his previous convictions were fundamentally wrong, that the view which he had hitherto believed and declared to be inspired by God himself, was contrary to God's real intentions.

The ministers were now brought face to face with the Christian's duty, as they had so often preached it to their congregations and to each other—the duty and the joy of suffering for Christ's sake. Should they, who had so long glorified a martyr's crown, shrink back as the thorns pressed their brow? Should they, who had counselled others to suffer death and exile for the faith, abjure their Master for the thirty pieces of silver that their yearly income represented? Many felt so keenly the shame and humiliation which must ensue from such a course, that they could not endure the thought of conformity. At the Hampton Court Conference, John Knewstubbs on his knees begged James to forbear the enforcement of conformity in Suffolk, because it would forever destroy the ministers' reputations and "credits" with their friends, and congregations.[1] John Burgess, one of the most prominent and learned of the Lincolnshire Puritans, offered to conform if he could convince his followers of the rectitude of his conduct.[2] Most of the moderates were in favor of yielding. One of the noblest minds in all England, William Bedell, wrote privately to Samuel Ward of Cambridge: "Yf a magistrate should require a minister to do something without which he could not be suffered to exercise his ministry . . . ye preaching of ye Gospell should sway more than our desire of euen our own liberty. . . . I would we might all yeild and goe together." He assured his friend, however, that he

[1] Some petitions protested that their nonconformity was not based upon "a desire to maintain our credit with men." Lambeth MSS. 113, f. 101. But the bishop of Lincoln wrote to Cecil, April 12, 1605, (Hatfield MSS. 110, f. 74) that they "wold not stand so obstinatlie in those tearmes . . . were they not unwillinge to be brought into any disgrace with theire people." See also Bancroft's letters in Wilkins, *Concilia*, IV, 410, to much the same effect.

[2] Bishop of Lincoln to Mountagu. Hatfield MSS. 108, f. 22, December 12, 1604. Holograph.

had not breathed a syllable of this to any one. "As for my public preaching, yt hath bene neuer of these matters. . . . For my part, I neuer spake so much to any man as I do to you now."[1]

But there was more at stake than individual consistency and sense of rectitude. If the majority of the Puritan clergy conformed, the leaders knew as well as Bancroft did, that all hope of establishing in England the divinely inspired Discipline by peaceful methods, through organisation within the Church itself, would disappear beyond hope of revival; and with the recognition of the futility of its introduction, would go all excuse for the maintenance of the secret organisation which had been kept alive for twenty years. Concerted action by the party as a whole was a dream, a vision, if the rank and file would not stand firm when the long looked for crisis came. The Puritans would then become Churchmen and would soon absorb from the use of the ceremonies of the Established Church a belief in their efficacy for salvation. Conformity by the majority meant the death of the Puritan party. If only all could stand firmly shoulder to shoulder without flinching, the leaders thought the Government would use no strong measures. Many and many a man who would otherwise have gladly conformed through conviction, the pressure of poverty, or of circumstances, stood out stoutly for fear of bringing upon his head the blame of a ruined organisation.

During July and August the Puritan leaders held anxious debates and consultations.[2] Convinced themselves that they must

[1] William Bedell to Samuel Ward, October 16, 1604. Tanner MSS. 75, f. 126. Holograph.

[2] "Yt is true yt in some meetings where by the cheife of our company, I have beene enforced to take the place of the respondent I haue assayed to answer the contrary arguments (that is, he argued in favour of subscribing). And be yt spoken between us, I doe not find any great difficulty so to doe, but yf these men doe hereupon voice me for a patron and persuader to the Ceremonies, they doe me wronge. . . . That which I will doe I will subscribe to. Truth yt is there be other things euen in the reformed booke subject to doubt, but where they will giue them all (as they will) a commodious interpretation, what reason haue I to be witty in anothers meaning against myselfe and not to giue yt to their wrightinges which I would to be giuen to mine owne. For my part also I take the wordes *not repugnant to the word of god* to meane in the forme of subscription, in matter of *substance*, and *directly*, otherwise I would be loath to subscribe yt any wrighting of man ys such. . . . I haue the testimony of my conscience yt I seeke no worldly thinges but the glory of Christ and the good of the Church. . . . *But we shall avayle more with standing out*, they say. A likely matter. We shall without doubt in the twinckling of an eye make him (James) revoke so many proclamations speaches and other publick and priuate testification of his purpose in yt behalfe, whome we see to be more vehement for these

not yield, they finally came to the opinion that the whole party not only ought to stand firm, but that it would act in concert. The results of the deliberations were drawn into a sort of manifesto which was forwarded to the Puritan centers, Ipswich, Northampton, Colchester, Kettering, Daventry, and the like, toward the end of August, where the discussion was renewed and the leaders forced to defend the policy to the rank and file to whom the spectre of poverty was more terrifying and the pangs of conscience not so keen.

The Manifesto[1] was occupied, not with exhortations to convince, but with the more practical methods of legal opposition by which the proceedings against them might be blocked. None of them had any intention of tamely submitting to deprivation. It declared that the bishops must act under their inherent episcopal authority, or under the High Commission. If summoned by the bishop, therefore, they should appear "to avoyde occasion of sclander" but must declare that they do not "acknowledge the Busshopps authoritie or Iurisdiccon in ecclesiasticall causes, unlesse he haue sufficient warrant from his Majestie under the broade seale accordinge to the statute I° Eliz. cap. 1°." The bishop, therefore, had no authority to deprive them, as bishop, and even the High Commission could not deprive them, went on the Manifesto, under the new Canons, for the Book of Common Prayer there mentioned was the revised book of James I. Now, inasmuch as the Elizabethan Act of Uniformity under which they must still be arraigned for offences against the Prayer Book, sanctioned the Book of Edward VI, certainly an offence against the revised Book of 1604, was no breach of a law for the enforcement of the Book of Edward VI.

If these arguments should fail, the Manifesto advised the minister to plead that his benefice was his freehold at common law, from which only a common law decision could deprive him, and to

ceremonyes than the Bishops themselves. . . . See how hard yt is to keepe an euen course. . . . Moderate courses are subject to the calumniations of both extremes." Bedell to Ward. October 16, 1604. Tanner MSS. 75, f. 126. Holograph. The italics are Bedell's.

[1] Additional MSS. 28571, f. 205. Copy, no date, endorsed in another hand, "The Puritans directions to avoyde the proceedinge of the Bypps." Underlined probably by Cecil. The date is between the dissolution of the Parliament, July 7, and the ratification of the Canons, September 6. The best proof that this is indeed a general manifesto of the whole party lies in the later actions of the Puritans who tried to put it into general execution. Its arguments were used in the Parliament of 1606. It has been printed in full in the Appendix.

insist that the ecclesiastical courts possessed no powers at all to remove him. Then followed advice, in case the bishop should disregard this plea, upon "the manner howe to keepe possession." Let the deposed minister guard his church and parsonage night and day "soe noe other can be inducted;" he might even use force, though it would be better he should not "much contend" but instead go at once to a justice of the peace and call upon him to put him again in possession of his freehold. The paper closed with a long list of "reasons not to subscribe." "To subscribe weare iniuriously to discourage and reproache the religious knightes and gentlemen of the parliament" who have laboured to secure pardon for us on the explicit ground that we would not subscribe. "It would prevent them of the good which they may doe in this behalf the next Session of the Parliament." "If many stand out it will pittie the Kinges hart to displace soe many godly ministers, which else in a fewe would seeme singularitie." "It wilbe an idle president left to all posteritie and preiudice the godly that hereafter shall seeke the reformacon hereof." With the Manifesto were forwarded lists of arguments against the validity of the new Canons, against subscription, against the bishop's authority, with formulas of evasive and casuistic replies,—[1] all framed so as to prepare the culprit to defend himself before both bishop and High Commission.

During October and November, the fruits of the Puritan Manifesto of August began to display themselves in the shape of petitions to the King from some fifty of the Essex gentry,[2] and twenty-eight Huntingdon laymen[3] in favour of the nonconformists threatened with deprivation, while about thirty ministers of the diocese of Lincoln presented James with a long list of objections to the Canons and the Book of Common Prayer which seem to have been based on the sample arguments forwarded by the leaders in

[1] There seems to be little doubt that some of these at least are the following: Lambeth MSS. 133, f. 101; Lambeth MSS. 577, f. 252; and Exeter College, Oxon. 137, f. 21, much altered in wording and phrasing. "General Considerations touching the late Booke of Canons," Exeter College, Oxon. MSS. 137, f. 19. "Most of them . . . are utterly superfluous, being but vanie repetitions of things alreadie established and utterly needles." A remarkable admission in view of the fact that most of the Puritans insisted that these same Canons were innovations.

[2] S. P. Dom. Jac. I, X, no. 81.

[3] Jo. More to Winwood. Winwood's *Memorials*, II, 36. December 2, 1604. The original petition is in Harleian MSS. 677, f. 44, dated "November 1604."

August.[1] Rumor at once magnified the Essex gentry into two hundred with three thousand secret supporters, and the Venetian Ambassador declared that the Huntingdon laymen numbered at least two hundred.[2] On the other hand, signs of conformity were not wanting; out of thirty-nine "resolute" men in Essex, the great Puritan stronghold, about thirty-five had subscribed or conformed by December 1,[3] and Knewstubbs, the Puritan leader in Suffolk, was looking for a curate who would wear the surplice for £10 a year.[4]

Indeed, just at this moment, James and Bancroft were rather inclined to relent and connive at the disobedient. As a theorist, the King considered "persecution as one of the infallible notes of a false Churche."[5] So far as our scanty evidence will give the workings of his mind, Bancroft was inclined to believe that a great show of force, masking a real toleration, would go a long way toward breaking up the Puritan party altogether, for, in his opinion, outside pressure alone had enabled the leaders to counteract those violent differences of opinion in the party itself which had always menaced its unity and solidarity. Let the fear of persecution be once removed and the party would disintegrate. A steady pressure to conform, together with the threat of eventual deprivation would, in time, bring the rank and file to terms, he thought. In any event, nothing would be more certain to unite all the warring elements than the ejection of a large number at once, and the spectacle would gain them more sympathy in the country at large than their preaching could possibly win for them in years.[6] He summoned

[1] *An Abridgment of that Booke which the Ministers of Lincoln Diocese delivered to his Maiestie upon the first of December last. . . .* (1605) *reprinted* 1617. Also *The Abolishing of the Booke of Common Prayer, by Reason of above fifty grosse Corruptions in it . . . being the substance of a booke which the Ministers of Lincoln Diocesse delivered to King James, the first of December,* 1605. (1641) "It appointeth a Leiturgie which in the whole matter and forme thereof, is too like unto the masse-booke . . . the length thereof doth in many Congregations of times necessarily shut out Preaching."

[2] "It is found that this is sedition with roots spreading far wider than was supposed. The number of Puritans is great and the sect includes some distinguished persons. The King and the Council are very anxious." *S. P. Venetian,* X, no. 313, December $\frac{20}{30}$.

[3] S. P. Dom. Jac. I, X, no. 81.

[4] Bedell to Ward, November 26, 1604, Tanner MSS. 75, f. 129.

[5] James to Cecil, 1602-3, *Camden Society, Old Series,* 78, p. 37.

[6] "At first subscription was hotly urged and that not by other bishops but even by the new Archbishop of Canterbury at such time as convening all the ministers of London before him, he took his leave being to go to the see of Canterbury." The account

the suspects of the diocese of London before him on December 7, and told them that he had no intention of instituting proceedings against them at once. The proclamation of July 16 had merely fixed November 30 as the legal date for the expiration of the old law and the date from which the new Canons should be considered in force.[1] From Vaughan, the new Bishop of London, who had been elected to fill the vacancy left at this time by the promotion of Bancroft to the Archbishopric of Canterbury, the nonconformists of that district heard a similar declaration[2] while some of the other bishops ventured on indiscreet assertions which were quoted as statements that the observance of the ceremonies was not essential.[3]

All this gave the Puritans courage. Indeed, had they desired only forbearance for their nonconformity in the minor points of ceremony and ritual of which they nominally complained, they would, in all probability, have in some measure succeeded in attaining their end. Their tactical error lay in making public in open petitions to James, to Parliament, and to the gentry their intention not to subscribe—or in other words, their settled determination, albeit from conscientious scruples, of disobeying the known law of the Church. Without realising what they had done or the effect it would be likely to have on James and Bancroft, they had changed the issue from a rather minor point, whether nonconformity among a few private men could not be connived at, to that most vital proposition of all, whether or not the Church, as an established institution, having just promulgated the authoritative interpretation of the law which the Puritans had themselves demanded, should permit men to declare publicly and openly that they intended to remain members of it, hold its offices, receive its salaries, and yet flagrantly and intentionally disobey the most common of its ritualistic requirements. No organisation possessing any institutional life could disregard such a direct challenge of its integrity and authority. The issue became really, not must they obey, but had the Church power and stamina enough to expel from

in the text is based on a Puritan account, written about a week after the event. This quotation is from *A Short Dialogue, proving that the Ceremonies and some other Corruptions now in question are defended by none other Arguments than such as the Papists have heretofore used.* (1605.)

[1] S. P. Dom. Jac. I, X, no. 81.

[2] Bishop of Lincoln to Mountagu, December 12, 1604, Hatfield MSS. 108, f. 22. Holograph.

[3] So said the Puritans later. See *An Abridgment of that Booke which the Ministers of Lincoln Diocese delivered to his Maiestie upon the first*

its doors those who had publicly professed their disbelief in its tenets: were the new Canons to be law or only a record of pious intentions? The Puritans assumed that the Church was still as powerless as it had been under Elizabeth.

As usual, they were their own worst enemies and soon had furnished the Archbishop with indubitable proof that they intended to fight to the very last with weapons besides petitions and supplications. The end of November had brought to London various emissaries from the more distant Puritan districts, who came to secure authentic information and to procure additional legal advice on methods of obstruction which could be opposed to episcopal action. Among them was Melancthon Jewel, who had been first a basket maker and then a preacher with (according to some) only learning enough to read the Bible,[1] had taken a prominent part in the Classis movement and had been one of those imprisoned with Cartwright in 1590. Being thus well known to some of the pursuivants and, in addition, rash and indiscreet, he soon was in custody, and disgorged a number of papers which threw considerable light on the Puritan plans.[2] These contained long legal questions upon the method of petitioning the King, of appealing from a bishop's sentence, and upon the common law writs which might be used to block the proceedings of the High Commission and the ecclesiastical courts, together with some legal reasons against the validity of the new Canons, and "proof" that the bishops were forbidden by the common law to demand subscription to the Three Articles. On these points, he had meant to "requier his verie beste" from Nicholas Fuller, an able lawyer, who had been active in the Puritan cause, both in and out of Parliament, and whom we shall meet again. He was also to deliver a contribution from his friends in Devonshire toward the expenses of Travers's appeal against the decision of the Bishop of Norwich.

of December last. . . ." (1605) p. 53.

[1] Manuscript note on the papers found on him when seized.

[2] These are in S. P. Dom. Jac. I, X, no. 81, and while not the best of evidence, from some points of view, are nevertheless the only evidence we have of certain interesting details, which fit in so well with all the other facts we know, that there is no good reason to doubt more than a few of the round numbers which Jewel had caught up from the maelstrom of rumour. The date is clearly December 8 or 9; for he speaks of Bancroft as still to be consecrated (performed December 10) and mentions himself the date December 7. In accepting his evidence, moreover, we are erring in admitting testimony naturally prejudiced in favour of the Puritans rather than against them, if anything.

Jewel had been captured on December 8 or 9 and on December 10 the Privy Council directed Bancroft to order the bishops to proceed against those who refused to conform "under a pretended zeal of reformation but indeed of factious desire of innovation." The Archbishop forwarded this letter with one of his own to the bishops,[1] saying that he hoped their lordships would pay no heed to the legal pleas of the Puritans for he had personally consulted the Lord Chief Justice and the Attorney General, who had assured him that every bishop possessed in himself, aside from his power as High Commissioner, ample authority under the Act of Uniformity to deprive the ministers.[2] He besought them, however, to use every care in making their proceedings rigidly accurate in form, gave various directions the better to ensure that end and concluded, "I have not hitherto greatly liked of any severe course but I perceive by certain instructions lately cast abroad[3] that the present opposition so lately prosecuted doth rather proceed from a combination of sundry factious who in the pride of their own mind are loath to be foyled (as they term it) then of any religious care of conscience." Bancroft's conclusion may have been quite wrong but certainly there had been a good many happenings which could be readily, and even naturally, interpreted in that way.

The bishops not resident in London, and therefore ignorant of the real situation, were surprised at these stringent orders and Hutton, Archbishop of York, ventured to write to Cecil that severe proceedings against the Papists would be far more beneficial to the realm than harsher measures against such peaceable men as the Puritans.[4] In his reply, Cecil remarked that he was loath that

[1] Printed in Wilkins, *Concilia*, IV, 408, and numerous other places. Some sentences in Jewel's papers hint at the intention of the Council to issue these orders, which would perhaps show that Jewel's capture was not the cause of the order, but only a coincidence. Very likely this is true but it is also likely that Bancroft's spies knew all about Jewel and his doings long before he was seized.

[2] This point had indeed been already decided in Cawdry's famous Case in 1587 in favour of the bishops and had been set forth at great length in the lately published fifth part of Coke's *Reports*.

[3] Does this mean the Manifesto we have or another of later date?

[4] This oft-quoted letter has been exaggerated into great importance by Puritan writers, who have not given the same attention to Cecil's reply. Copies are in S. P. Dom. Jac. I, X, no. 64. December 18, 1604. Stowe MSS. 156, f. 50; All Souls College, Oxon. 155, f. 177b; University College, Oxon. CLII, f. 119. Printed in Winwood's *Memorials*, II, 40; Strype, *Whitgift*, III, 420; and elsewhere. Cecil's Reply is in S. P. Dom. Jac. I, X, no. 66; Queen's College, Oxon. 32, f. 137b.

Hutton "should live in such a darknesse (through want of better information)" and that, "although many religious men of moderate spiritts might be borne with, yett such are the turbulent humors of some that dreame of nothing but of a new Hierarchy (directly opposite to the State of a Monarchy) as the dispensacon with such men were the highe way to breake all bonds of unity, to nourishe Seisme in the Church, and finally to destroye both Church and Common wealth." "It is not a sure foundation to build upon bruits . . . Whosoeuer shall behold the Papists with Puritane spectacles or the Puritane with Papisticall, shall see no other certainlie then the multiplication of false images." There can be no doubt that, considerable as is the amount of evidence we possess, Cecil and Bancroft had several times as much, and such utterances as these, from the men in all England best qualified to know the truth, must be accorded great weight in a case where, after all, only opinions can be adduced on one side or the other.

Puritan petitions continued to appear at Court, although their number has been greatly exaggerated.[1] We have eight, four from ministers and four from gentry, and there is good reason to believe that as many more were in the course of preparation, though perhaps never presented. Neither James nor the Council treated them seriously, bearing in mind the history of the Puritan petitions of 1603 and the similar history of those presented to Elizabeth in 1584-1588. Their vague wording and palpable exaggeration did not inspire credence and certainly a dozen gentlemen, not particularly well known, were not likely to be credited as the representatives of the whole shire and their statements, that the whole clergy of the county were suffering to the grief and discontent of all the laity, seemed ludicrous to men who knew perfectly well that the

[1] Those we have are: the Petition from 32 Lincolnshire ministers, Additional MSS. 8978, f. 116; 28 Puritans (laymen?) at Royston (Harleian MSS. 677, f. 44); 12 Lancashire gentry, S. P. Dom. Jac. I, X, no. 62 and Additional MSS. 8978, f. 117; 22 ministers of London, Gurney MSS. 26, f. 269, at Keswick Hall, Norfolk; 27 ministers of Warwickshire, S. P. Dom. Jac. I, XII, no. 68; Gentry of Lincolnshire in Hatfield MSS. 103, f. 139; 10 gentlemen of Leicestershire, Hatfield MSS. 103, f. 100; Mayor and 9 citizens of Northampton, Hatfield MSS. 103, f. 124. Most of these are originals. Then we have mention of petitions from 200 Essex gentry, 43 Essex ministers, 27 Devonshire ministers, and 14 Cornish clergymen from a note among Jewel's papers. S. P. Dom. Jac. I, X, no. 81. These were presented in batches, most of the ministers coming in November and early December, while those from the gentry did not appear till January.

Puritans themselves only claimed thirty-two ministers in Lincolnshire out of six hundred and twenty, and forty-three in Essex out of four hundred. A little investigation soon developed the fact that all these documents had been drawn up in general terms (according to the directions of the conference of leaders) by a few ministers and signed at their request.[1] The documents found on Jewel coincided too exactly with those called for by the Manifesto sent out in the previous August to allow Bancroft to believe that they were the result of simple local discontent, even had he had no previous experience to aid his deductions.

Nevertheless, he and his fellow bishops showed considerable reluctance to proceed against the refractory clergy. Toward the middle of January, while hunting in the diocese of Lincoln, James fell in with the Bishop, who explained that he had not yet taken any measures against the Puritans because he had received no explicit directions from Bancroft and knew that none of the other bishops had done as much as he had.[2] He said that it had been agreed in Convocation,[3] six months past, that all the Puritans should be thrice admonished to reform by the episcopal authority and so much he had done but there had stopped. James was provoked, and sent word to Cranbourn with some petulance, that the bishop had done nothing and intended to do nothing. "I neuer chainged the smallest iote of my conclusion to deprive them," he added in his own hand, and "if ye make not mountaines of moldehills . . . ye neide not to haue troublit so farre your owin mindis."[4] The Arch-

[1] "There was brought unto my house by Mr. Gosnell, preacher at Powilton in the moores, the drawght of a petition to be preferred unto his majesty on behalf of the ministers by such justices of the peace as wold subscrybe the same which he had framed. . . . This peticon by me thus subscrybed was caried or sent by the said Mr. Gosnell to the rest of the gentlemen." Richard Holland to the Privy Council. February 15, 1604-5. Hatfield MSS. 104, f. 24.

[2] Lake to Cranbourn, Hatfield MSS. 103, f. 116. January 16, 1604-5. Holograph.

[3] Bishop of Lincoln to Mountagu. December 12, 1604. Hatfield MSS. 108, f. 22. Holograph.

[4] James to Cranbourn, Hatfield MSS. 134, f. 52. Holograph. "I thocht that if thay presentlie conformed thaimselifs and after that uolde refuse to subscrybe to that quhiche in deede they hadde allreaddie parformed, it uolde bee a meanes to make thaire uanitie appeare, and euerie man to pittie them the lesse." Some of the Puritans fully understood, though for politic reasons they never said so openly, that James was at the bottom of these orders. "By refusing to yield," wrote Bedell, "we shall without doubt in the twinckling of an eye make him revoke so many proclamations speaches and other publick and priuate testifications of his purpose in that behalfe, whome we see to be more vehement for these ceremonyes than the B. B. themselves." Tanner MSS. 75, f. 126. Holograph. October 16, 1604.

bishop was to be directed to issue orders at once that all the obstinate should be deprived. Having just learned, to his great satisfaction, that the Universities had returned certificates of conformity,[1] the King was rather piqued with the disobedience of the parish clergy. In compliance with the royal mandates, the Council, on January 22, informed Bancroft that the bishops "haue stood as men at a gaze and haue done nothinge."[2] Bancroft and Vaughan, the Bishop of London, met Cranbourn on January 24, by appointment, and, after a long consultation over the situation,[3] decided that the strictest conformity should be ordered but should be executed only where the Puritan gave no hope of yielding. The decision was then prepared as a private letter from Cranbourn to Bancroft,[4] which contained this significant phrase: "Specially your lo: must haue care that it may not appeare that anie direction hath proceeded from his Majesty whereby they may haue anie hope at all, but onely yt your lo(rdship) of your disposition will be mediator for them when he shall see the cause to doe so." If the stern tenor of the correspondence between the King and Secretary can be trusted as a criterion, this leniency was due to Bancroft.[5] In fact, the Archbishop, as he said in his letter of December 22, was not in favour of harsh measures, believing that a slow but steady pressure, with plenty of time for consideration, would break down the bold front of the nonconformists. Nor did he stand alone in this opinion: Dr. James Mountagu, a man who was later much in the royal confidence, declared that the Puritans should be ejected "by little and little rather than all without a difference cut downe at once, for I haue euer found all controuersies in religion to gather strength by opposition, and the partye depressed to gayne more by pitty than euer they could by ther pietye."[6]

[1] These are in S. P. Dom. Jac. I, X, no. 70-77; XII, no. 7-10; Cranbourn to the Vice Chancellor and Heads, December 15, 1604, Baker MSS. M. m. 1. 40. f. 382, 393, copy; and February (?) same to same, Bak-MSS. M. m. 1. 40. f. 382, 393, copy; Mountagu to Cranbourn, January 22, 1604-5, Hatfield MSS. 103, f. 130. Holograph.

[2] Hatfield MSS. 108, f. 43.

[3] Cranbourn to Lake, S. P. Dom. Jac. I. XII, no. 28.

[4] S. P. Dom. Jac. I. X, no. 61, (uncalendared, undated and unidentified) date is certainly January 29, 1604-5, draft by Salisbury's secretary. See another draft letter from Cranbourn to Bancroft, also undated but very likely January 22, to this same purpose in S. P. Dom. Jac. I. VI, no. 89, wrongly dated by the Calendar.

[5] According to Cranbourn, the bishops were either afraid to deprive them "or cannot be so godlesse as to remove them." (S. P. Dom. Jac. I, XII, no. 28.)

[6] Mountagu to Cranbourn. Hatfield MSS. 103, f. 130. Later in the year

There was also a strong impression at Lambeth that to deprive the ministers would only lop off the top boughs of a tree whose roots were beyond their reach. From "the gentlemen in countries that make a good reason for it, if priuate end may justifie such formes as keep oyle still in yt Lampe,"[1] came the chief support of the movement and these gentlemen could not be deprived by the High Commission. Further, many of the most active and influential of the Puritan leaders were out of the bishop's reach, inasmuch as they held not a regular cure but a private lectureship or chaplaincy in the house of some one of these same gentlemen.[2] It has been stated, from a not very trustworthy Puritan source, that Lady Darcy of Derbyshire spent yearly £1000 in the support of nonconformist chaplains, choosing as far as possible men suspended or deprived.[3] Realising to the full that the cause of the Discipline was at stake and that to yield now meant permanent failure, these Puritan ministers stood out stoutly in the party conclaves against subscription or conformity, but it must be admitted that they did not need to fear the imminent poverty and suffering which weighed so heavily with their brethren who were legally members of the Church. By supporting these men the gentry were really keeping the Puritan party alive, despite the law and the Canons.

Consternation reigned in the Puritan camp when news of the new orders forwarded from London was bruited abroad. As the months of November, December, and January had slipped by without the threatened danger's nearer approach, the first alarm had been displaced by a feeling of exultation. Many believed that the petitions had been successful; others thought that the bishops were afraid to proceed or believed that their powers were insufficient; some publicly avowed that they made "small account of the Archbishop, and thought him no competent judge." According to one report, Alexander Cooke, one of the Peterborough ministers, said

the Puritans began to understand Bancroft's policy. "Hereby it appeareth evidently that their purpose is: to draw men on by little and little, that they may the more easily prevaile with them whome they soe drawe; that the number of present refusers may be the fewer, and so the clamour and complaint the lesse, and lastly they may the more easily cutt of those that stande against subscription." *Dialogue between an old Protestant and a new Formalist*, p. 6, (1605).

[1] Cranbourn to Lake, S. P. Dom. Jac. I, XII, no. 28.

[2] Bancroft was perfectly conscious of this. See his letter of December 22, Wilkins, *Concilia*. IV, 409, 410.

[3] Brook, *Lives of the Puritans*, II, 351. (London, 1813) on the authority of Clark's *Lives*, p. 69.

with no attempt at concealment, (so wrote the Bishop of Lincoln to Bancroft) that he had sued out an inhibition from the Chancery and "that ther will bee such a Curbe put into the Jawes of your Lordship and my Lo: of Peterboroughe, for these proceedinges had against him and others, as upon ye same shame will ensue to you both."[1] One of the men suspended by the Bishop of Exeter took horse at once for London, where he demanded from the King's Bench a prohibition to stop the Bishop's proceedings against him.[2] While these reports were probably exaggerated, they served to confirm the ideas which James and Bancroft already held concerning the disorderly conduct and "seditious" intentions of the ministers. Cooke was caught and examined and, in the opinion of the Attorney General, "was weake and simple,"[3] but, as would be true to-day, such rumours could not be allowed to circulate with impunity to the discredit of the Church.

From the leaders came sober objections which received more attention. John Burgess had taken legal counsel, and told his bishop that "he ought not to be urged to subscription seeinge he was not to be admytted to any Ecclesiasticall preferrement or function in ye Churche, nor yet to be deprived for not conforminge himselfe to the Apparrell and Ceremonies."[4] The new Canon amply covered the first instance and the Act of Uniformity the second, but, argued Burgess, he merely refused to subscribe to the Three Articles, not as a candidate but as a man already long admitted to the ministry and long since inducted into office, concerning whom nothing was said in the law. Could it have been maintained, this would have prevented the bishops from depriving any one. Another favourite Puritan argument was to the effect that the proclamation of July 16 had ordered the bishops to "prove to the ministers that the Book of Common Prayer and other lawes and orders of the Church conteyne nothing, in the whole or in any parte, disagreeable either in doctrine or governement to the Word of God."[5] Until, therefore, the Puritan should declare himself con-

[1] The Bishop had the story from "others of credit." Hatfield MSS. 103, f. 139. Copy. January 25, 1604-5.

[2] Proclamation of February 18, 1604-5.

[3] Coke to Cranbourn, March 25, 1604-5. Hatfield MSS. 104, f. 108. Holograph. Also Hatfield MSS. 103, f. 142.

[4] Bishop of Lincoln to Mountagu, Hatfield MSS. 108, f. 22.

[5] *Certaine Demandes with their Grounds drawne out of Holy Writ . . .*(1605) p. 51.

vinced of that broad and sweeping proposition, the bishop had no authority to deprive any one.

Possibly influenced by this argument, but more likely as a result of the general episcopal opinion that severity would make martyrs of the Puritans, the bishops, instead of suspending and depriving, began by arguing and exhorting. At the consistory of St. Paul's, Bancroft and Vaughan held several public sessions in which they argued at length all the points urged by any Puritan.[1] The Bishop of Peterborough, for two whole days, defended the Church against the Puritan divines who flocked to "beard" him in his own cathedral before some two hundred laity who crowded in to listen to the learned wrangling.[2] Most of the bishops held many private conferences. In the end, although many conformed, a considerable number stood out firmly and then, "when nothing would prevayle," wrote the Bishop of Peterborough in his report to the Council, "even in the anguish of my soule, as the eternal God beareth me witness, I suspended nine or ten and deprived only one."[3] Some days later he deprived fourteen more, most of whom had previously been suspended, and apologised to the Council for depriving so many.

While these stirring scenes were being enacted in the country, a drama of a very different type was being played at London. On February 9, three gentlemen from Northamptonshire presented the King with a petition in favour of the ministers of the shire[4] which was, in every way, the most ill-advised and rash act since the attempt to practice the Discipline twenty years before. If they had searched England to find men whom the Government would distrust, they could not have pitched on any who were regarded with more suspicion than the two Knightleys and Sir Edward Mountagu, who presented the petition, or Sir Francis Hastings, who drew it. The Knightleys had been demonstrated by Bancroft, to the satisfac-

[1] *S. P. Venetian*, X, no. 347, and a holograph newsletter in Hatfield MSS. 104, f. 19. February 12.

[2] Bishop of Peterborough to Cranbourn, February 16, 1604-5. Hatfield MSS. 104, f. 30. Holograph.

[3] Hatfield MSS. 104, f. 1. February 4, 1604-5. Holograph.

[4] The original is in S. P. Dom. Jac. I, XII, no. 69; printed in Ellis, *Original Letters*, *2nd Series*, III, 216. There were 39 signatures, one of which was that of an ancestor of George Washington. The Puritan leaders had always felt that the action of Northamptonshire in their favour would be decisive. "That onlye countye of Northampton is sufficient to stoppe the mouthes of them that say their are not above some 10 or 12 factious persons yt desire reformation of these thinges." Letter sent out from London by Egerton, 1603. Sloane MSS. 271, f. 20b.

tion of official circles, to have sheltered the notorious Marprelate press, its authors and printers, and to have, since then, maintained the most prominent of the Puritan leaders. Mountagu, together with them and Hastings, had been instrumental in defeating the Government on ecclesiastical reform in the last session of Parliament and in passing sundry offensive bills and resolutions of a radical Puritan stamp. All three had further taken part in the unpleasantness with the King over Goodwin's and Shirley's Cases and over the *Apology and Satisfaction,* and James was not likely to forget their participation. Another claim to notoriety was attached to Hastings, whose books had been publicly burned by order of the High Commission in St. Paul's Churchyard.[1] Such considerations as these would have shown any prudent man, who had his cause at heart, that he could not be an acceptable advocate of it. Furthermore, being themselves men of wealth and standing, allied to many powerful families, controlling great sections of England, they were ill-advised enough to present a petition which hinted that, if it was not granted, "some thousands" of the King's subjects would be seriously offended with him. Such a document, presented by such well-known men, signed with the largest number of signatures of any Puritan petition thus far seen, could not fail to attract attention. Moreover, it came at an unpropitious moment: rumours had been flying about London that a certain soothsayer had prophesied the King's death and great adversity for the realm within a year, while no less a person than the English Ambassador at Paris had sent post haste the news that the French Court firmly believed a great revolution was on the point of breaking out in England.[2] In the twinkling of an eye, the Puritan tens were transformed into hundreds, and their hundreds into thousands of armed and desperate men, led by ministers of ability, influence, and prestige. With such ideas in his head and such a petition in his hand, no wonder James was perturbed.

The petitioners were placed in custody[3] and on the morrow, Sun-

[1] Sir F. Hastings, *A Watchword to all religious and true hearted Englishmen,* (1598) and an *Apologie or Defence of the Watchword.* (1600) Also a *Reply to a slaunderous Libel against Sir Francis Hastings.* (1600)

[2] *S. P. Venetian,* X, no. 341.

[3] Hastings acknowledged the authorship of the petition, was put out of the Lieutenancy of the shire and the Justiceship of the Peace, and the presenters received a similar sentence. The rest humbly "acknowledged the fault" and went free. See S. P. Dom. Jac. I, XII, no. 74; Hatfield MSS. 104, f. 50; 111, f. 58; *Report on the Beaulieu MSS.* p. 45, 47.

day, February 10, the King sat in Council for eight hours considering the subject.[1] The revolt in the Low Countries and the troubles in Scotland, he said, had both begun in precisely such a petition and the results had certainly been of a character to give a king food for thought. "His Mother and he from the Cradles," he went on, "had been haunted with a Puritan Divell, which he feared would not leave him to his Grave." He would hazard his Crown to suppress such spirits and the perturbed monarch concluded with an equally long and bitter tirade against the Papists. "By the lion's paw, the dimensions of his body are known," and certainly, if rumour and innuendo were to be trusted, this lion's body was of portentous dimensions. The Puritans had blundered again: having already, by their indiscretion and desire for publicity, made the issue between them and the bishops, the question whether or not the Church, as an institution, was strong enough to eject those who openly and publicly announced their intention of disobeying its laws, they now changed that purely ecclesiastical question into one of political expediency. The notoriety of their delegates, the hints in the petition at the use of physical force, had been regarded by the State as paramount to enunciating a design upon the Government. James, too, was as ardent an advocate of conformity as a political necessity, as Elizabeth had been of connivance for the same reasons. Instead of inducing the State to interfere with the bishops on the Puritans' behalf, the Northamptonshire petition caused the State to take from the bishops' hands all the discretion which had been left to them in the matter, and influenced it to issue even more stringent orders for the enforcement of the law.

The upshot of it all was that, upon February 13, the great assembly of judges and gentry in the Star Chamber, at the end of Hilary Term, for the receiving of directions regarding the Assizes, was used for the annunciation of the royal determination anent the Puritans.[2] The Lord Chancellor delivered his speech "with tears,"

[1] The best account seems to be a letter to the Bishop of Norwich. February 14, 1604-5. Baker MSS. M. m. 1. 43, f. 167-8. Printed in Ellis, *Original Letters,* 2nd Series, III, 215.

[2] The letter of February 14, 1604-5, just cited. A long legal memorandum is in S. P. Dom. Jac. I, XII, no. 73. Also in Croke's *Reports,* II, 37; and more briefly in Moore's *Reports,* 755. The specific questions asked were very technical and the statement in the text is an attempt to give the point at which they were aimed. Sir Edward Coke, the Attorney General, had at first thought that a prohibition would lie, but on consulting the authorities changed his mind. This is exceedingly significant in view of his

and asked the judges whether the High Commission possessed power to deprive the Puritan ministers. The judges replied in the affirmative, adding that "they held it clear that the King without Parliament might make orders and Constitutions for ye government of ye clergie and might deprive them if they obeyed not, and so the Commissioners might deprive them." Next, he asked, in effect, whether the ordinary process of the High Commission could be blocked by common law process, to which they replied in the negative. Lastly, he demanded, whether it was not a legal offence to solicit signatures to a petition which intimated that if the King did not grant it, many thousands of his subjects would be discontented. And all the judges answered that it was an offence "very near to treason, tending to the raising of sedition, Rebellion and discontent among the people." With these affirmations to think about, the gentry and judges went out into the country to spread the news to the people at large, as the Government meant they should.

There was now no more hesitation at Whitehall and consequently little at Lambeth. Bancroft on February 7, only two days before this ill-fated incident, had already given the London clergy their final warnings and now, on February 11 or 12 deprived some three and suspended others. On the same date the Bishop of Norwich took final action in Suffolk and journeyed on to Norfolk to do the same.[1] The Bishop of Peterborough had already acted. On February 18 and 19, royal letters were sent to the archbishops and bishops detailing at some length the proceedings of the last two years.[2] After stating his resolution to suppress papistical practices, the King declared that the Puritans had been "plottinge and contrivinge all thinges that could be ymagined likely . . . to bringe in a forme of presbyterye to the utter dissolucon of all monarchies," and as to "that great increase which is so much divulged," he found it upon investigation, "meerly grounded uppon speech and rumor." Wherefore, he ordered all the clergy

later attitude toward the ecclesiastical courts, when he became Chief Justice. Hatfield MSS. 108, f. 64. Holograph.

[1] Newsletter. Hatfield MSS. 104, f. 19. February 12, 1604-5; and *S. P. Venetian.* X, no. 347, $\frac{\text{February 20}}{\text{March 2}}$, $\frac{1604}{1605}$. These are not the most trustworthy of authorities, but they agree in the main fact. Some of their details are certainly exaggerations.

[2] S. P. Dom. Jac. I, XII, no. 87. February 18, 1604-5. All Souls College, Oxon. 155, f. 174 b. February 18, 1604-5. The wording is practically identical and it is hard to see why the dates should differ unless the copyist made a mistake.

to be "vigilant in suppressinge any such proceedinges within your Iurisdiction and in reducinge them to conformitie."

No sooner was the deprivation of the obstinate well under way than from the deprived and from their friends, lay and clerical, rose a wail of lament at the exclusion of Christ's elect from His Church, at the turning of the learned and pious out into the cold to starve with their families, at the leaving of the poor sheep of their flocks without a shepherd, and at the untoward handling of Christian and loyal ministers, while the Papists were flattered and encouraged. They descanted at length on the "manifould reproache, the great molestations, losse of liuing, to the undoing of themselues, their wiues and Children, and many other wronges, iniuries, and indignities, which they haue suffred and dayly doe suffer." "So what Christian heart can refraine weepyng and bleeding, to forethinke of the spirituall spoyle that will be made in the Church by blind guides, corrupt teachers, and careless, yea wicked and ungodly, pastors, because (I say) many faithfull ministers deprived and silenced."[1] "How many will be left besides the unconscionable nonresident, the unexperienced divine, the ignorant and scandolous minister, who haue all lifted up their heads of late tymes as in the day wherin men devide the spoyle, and haue ouerspread the land as swarmes of caterpillars."[2] And how shall we judge in such a matter, they continued, unless we consider that the fruit of their ministry has everywhere been "knowledge and obedience of the people in such places where they liue, and in the mutuall loue and peace of such people among themselues, wheras in other places men for the moste parte are ignorant of all duty to God and man, and therefore prophane, irreligious, contentious, and apt to sedition and rebellion."[3] "How shall we better know how the Church of England liketh these things then by the iudgment which the greatest number of her able ministers have voluntarily given of them?"[4]

[1] *Certaine Arguments to Perswade and provoke this present High Courte of Parliament.* . . . (1605) p. 1 and 25.

[2] *Dialogue between an Old Protestant and a New Formalist*, 49.

[3] *Certaine Arguments to Perswade and Provoke the most honourable and high Court of Parliament now assembled . . . zealously to speake for the Ministers thereof now degraded, deprived* . . . (1606) p. 1.

[4] *An Abridgement of that Booke which the Ministers of Lincoln Diocese delivered to his Maiestie* . . . (1605) p. 53. In a *Consideration of the Depriued and Silenced Ministers Arguments.* (1606) p. 35 we find this reply: "What can a sensible man make of this Enthymeme? The Re-

The ejected ministers were, however, by no means inclined to submit tamely to the bishops' censures. Many of them at once began to put into practice the methods of legal obstruction set forth in the Manifesto of August, 1604.[1] In the first place, they all appealed from the bishop's decision, and thereby kept him from inducting any one else into their benefices, and thus, although they could not preach themselves, they had the satisfaction of knowing that no one else could. In this state of affairs, they would have a pretext for the next move,—a loud outcry from them and their lay friends that, by the deprivation of the godly and the pious, the cures were vacant, the sheep unfed, and likely in the absence of the shepherd to be devoured by the Jesuitical wolves. For a little while, too, they did succeed in putting the bishops into very unpleasant positions, for James had strictly commanded them, in January, to see that no parishes whose ministers were deprived should lack preaching. The bishops did, very likely, the best they could and had some of the licensed university preachers, as well as the clergy of their own dioceses, who lived in the immediate vicinity, read service in those churches, but they were powerless to provide a regular incumbent so long as the appeals were pending.[2] As soon as the real situation became known at Lambeth and at Whitehall, the ire which had been gathering against the episcopate was turned upon the Puritans, and their refusal to submit naturally enough only served, like everything else they had done since the first of February, to embitter the authorities against them and confirm the belief in their "factious" spirit.

Some of them went very far indeed in their determined opposi-

fractarie Ministers are the safetie of the whole land. Ergo, the Court of Parliament must speake for the Gospell. . . . There be thousands of Godly faithfull Ministers in this Kingdom which are not of their faction." And at p. 56: "As if there were not able ministers enough . . . if competent maintenance could be procured for them, sufficiently to furnish every congregation, to instruct the people in religion, to refute the Aduersary, etc. but the small handfull of Schismaticall ministers must needes be entreated to make up the number." The Committee of the House of Commons in 1606 told Bancroft, "We said these men were not the onely and principall men but acknowledged that the Church is furnished with many other verie learned and sufficient men." "His Grace said we had done them but right for we know many better." Lambeth MSS. 445, f. 424. May 1, 1606.

[1] Chamberlain to Winwood. Winwood's *Memorials*, II, 49. February 26, 1604-5. This was exactly what the meeting of February 13 had been intended to prevent.

[2] Bishop of Peterborough to Cranbourn, February 16, 1604-5. Hatfield MSS. 104, f. 30. Holograph.

tion. Catlyn of Northampton, finding himself suspended, locked the door of his pulpit with his own hand and put the key in his pocket, to make sure that no one else should mount his pulpit.[1] Others refused to unlock the church and compelled the authorities to break in the doors. Robert Swett of Suffolk provided substitutes of his own type and scornfully rebuffed the churchwardens who requested the visitors to sign the parish book and display their license to preach, as the Canons required.[2] At Preston Capes in the diocese of Peterborough, just as the substitute whom the bishop had succeeded in providing for Mr. Smart, the deprived vicar, was beginning to administer the sacrament on Palm Sunday, Smart himself appeared and either interrupted him or upbraided the parishioners to such an extent that a good many of them left the church and did not receive. On Easter Sunday, Smart appeared at the altar rail, but, refusing to kneel, the officiating clergyman forebore to administer to him, causing another scene with more high words and scandal.[3] The wardens and parishioners of all these various men presented them, at the very first opportunity, to the bishop for punishment.

This sort of behaviour hurt the Puritan cause. It is probably true that these cases were the exception rather than the rule, but still there were enough of them to demonstrate that the language of the Puritan petitions and tracts, concerning the peaceful conduct of the ministers and the grief of the people at their plight, was by no means universally true, if it was not altogether a gross exaggeration. The Puritans had, in fact, forced the bishops into action at every stage of the proceedings. Instead of trusting to their leniency, they had never given the bishops an opportunity to show whether or not they would deprive them: but had forced the issue continually and left no alternative between action and a public confession that the Church was powerless and inefficient.

[1] Bishop of Peterborough to Cranbourn, Feb. 16.
[2] Visitation Records at Norwich, "Suffolk Archdeaconry," 1606.
[3] Visitation Records, Peterborough, 1605.

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